Workforce Management and Development in the California Courts

Knowledge Management Handbook

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ADMINISTRATIVE OFFICE OF THE COURTS

HUMAN RESOURCES DIVISION

Contents

Overview

Over the next several years, the California courts are at risk of losing critical knowledge and thereby reducing service and performance due to the future retirement of large numbers of experienced employees. To address this issue, the *Knowledge Management Handbook* presents tools, approaches, and guidelines developed to assist the AOC and individual courts in answering the following questions:

- What do people in key positions need to know and be able to do?
- What is the most important knowledge associated with these positions, and what is the organization most likely to lose when people in those positions retire?
- What are the best strategies for transferring knowledge within a court or across the branch?

The *Handbook* is divided into three sections that will help answer these questions. These sections are:

- Guide to Creating Knowledge Profiles
- PICK™ Users Guide
- Knowledge Transfer Strategies

The following is a brief description of the material you will find in each segment.

Guide to Creating Knowledge Profiles

Knowledge Profiles describe and organize the knowledge and responsibilities required for success in a particular position. They not only clarify position requirements but also serve as a starting point for identifying critical knowledge and transferring it to those who need it. This section of the *Handbook* explains the steps for developing Knowledge Profiles, from assembling preliminary materials through validation with position incumbents.

The approach assumes that the Judicial branch is encouraging, to the extent possible, a more standard definition of positions and the responsibilities associated with them. Profiles may need to be tailored to account for certain differences (such as size) across the courts, but the generic profile should reflect the primary responsibilities and associated knowledge for anyone in that position. Initially, to promote consistency and operational relevance, the AOC will coordinate the development of Knowledge Profiles and be available to courts and branch components that would like to use this approach.

PICK™ USERS GUIDE

While the profiles describe the full range of knowledge and responsibilities associated with a position, there is additional value in determining what knowledge is truly *critical* to success for that position. PICK (Plotting Incumbent Critical Knowledge) is a customized tool designed to help the courts identify what positional knowledge could or needs to be the focus of knowledge transfer efforts such as mentoring or education, hiring or promotional selection criteria, and other workforce management activities. “Critical” is defined as a combination of two dimensions—high importance and high risk of loss. PICK uses the Knowledge Profiles as the starting point for knowledge identification.

The “PICK™ Users Guide” provides an overview of the tool, discusses who should use it, and presents a step-by-step set of instructions, including explanation of the scoring system, and provides a guide to interpreting results.

The PICK Tool can/should be used within individual courts, but it is recommended the process be “owned” and facilitated by a designated expert within the AOC.

KNOWLEDGE TRANSFER STRATEGIES

Once critical knowledge has been identified, it becomes the primary focus of knowledge transfer activities. Knowledge transfer is a core organizational activity that is closely related to succession planning. Knowledge must be transferred from experienced employees who are near retirement to less experienced employees who will be assuming similar responsibilities in the future. Knowledge transfer begins with identifying critical knowledge, but depending on the *type* of knowledge, the approach to knowledge transfer will be different.

This section of the *Handbook* introduces readers to four types of knowledge:

- Explicit/Codified
- Explicit/Uncodified
- Tacit/Codifiable
- Tacit/Uncodifiable

Next, this section explains the best approaches for eliciting each type of knowledge from knowledge sources (experts) and transferring it to knowledge recipients.

These steps for knowledge transfer can be used within individual courts and will fit effectively with other workforce management and development practices such as job deployment, training and development, and succession planning.

How to Use the *Handbook*

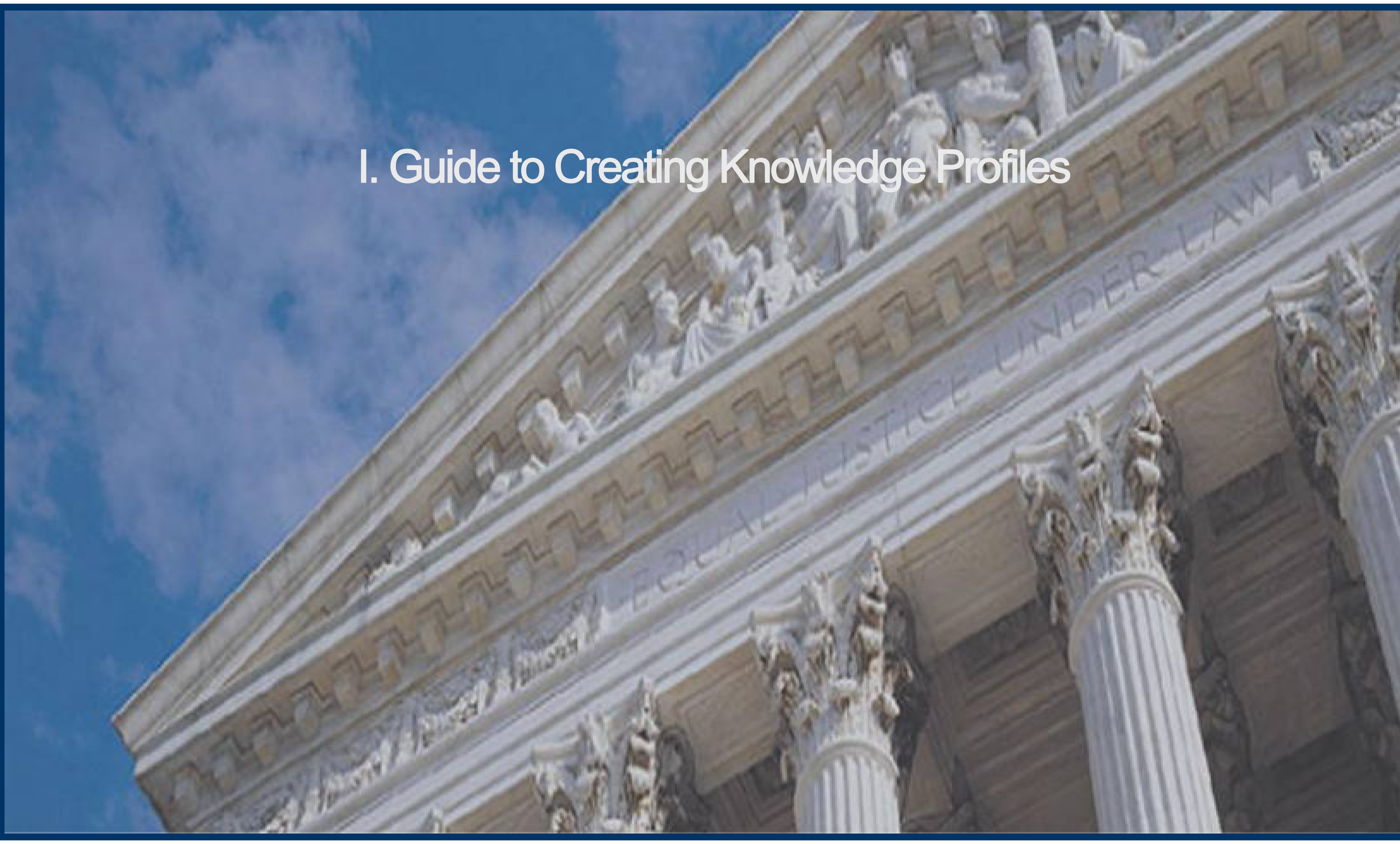
This *Handbook* focuses on providing facilitators and educators both at the AOC and locally, with a process for working with position incumbents in the courts to a) articulate the knowledge needed for success in their jobs; and b) identify what knowledge is critical. It also provides high-level guidelines that can be used to advise managers seeking to facilitate the transfer of critical knowledge from experienced professionals who are leaving the organization to those who will be replacing them.

Because developing Knowledge Profiles and using the PICK Tool both require the help of facilitators and other trained professionals, the first two sections of the *Handbook* are primarily targeted at those who will be performing this function. It may also be of interest to managers and court leaders who wish to involve their courts in the activities described.

The third section of the *Handbook*, which deals with knowledge transfer strategies, is aimed at managers, court leaders, and HR professionals who are responsible for structuring workforce management and development activities. The guidelines presented in this section will help them ensure that these activities are designed to promote the flow of positional knowledge from more experienced to less experienced individuals.

While this *Handbook* is a comprehensive reference tool, it should be viewed as a “living document.” As the branch gains experience creating Knowledge Profiles and using the PICK Tool, the *Handbook* should be enhanced to incorporate new learning.

I. Guide to Creating Knowledge Profiles



How to Use This Guide

This guide is aimed at facilitators and educators, both at the AOC and locally, who will be responsible for working with position incumbents in the courts to create Knowledge Profiles that reflect both the knowledge and duties required for success in their jobs. Initial profiles will be developed by AOC professionals and may ultimately be adapted to reflect positional differences across the courts.

The guide provides both background information and a step-by-step process for creating Knowledge Profiles. It can be used in conjunction with the second section of *The Knowledge Management Handbook*, titled the "PICK™ Users Guide," if a court is interested in using the branch's customized software tool (called the PICK, or Plotting Incumbent Critical Knowledge, Tool) to identify critical knowledge. It can also be used independently if the court simply wishes to create Knowledge Profiles for specific positions.

What Are Knowledge Profiles?

As experienced professionals in the branch approach retirement, there is a growing need to capture and transfer the critical knowledge incumbents need to be successful. But before we can drill down to critical knowledge, we need to define, at a high level, *all* knowledge associated with the position. The document that reflects this broad definition is referred to as a Knowledge Profile.

Knowledge Profiles are comprehensive summaries of the knowledge and duties associated with a particular position. Profiles are organized as a hierarchy or taxonomy with the following levels:

Unlike competencies, which are concerned with the skills and capabilities associated with positions, Knowledge Profiles are more focused on technical knowledge.

- **Knowledge Domains**: The highest-level knowledge category. Knowledge Domains are relatively broad (e.g., Financial Management) and are made up of a set of Responsibilities.
- **Responsibilities**: Position-specific duties within the Knowledge Domain. For example, many people in the courts are responsible for some aspect of Financial Management, but what that Responsibility is will depend on their position.
- **Tasks**: A description of the activities that are involved in meeting the Responsibility. Usually there are several Tasks within each Responsibility.

An example of what these three levels might look like for the CEO position is presented in the table.

Knowledge Level	Example
Position	CEO
Domain	Courts and the Community
Responsibility	Develop community-focused improvement programs
Tasks	Identify community needs/ Provide avenues for community to voice concerns/ Implement initiatives to better meet community needs

*Throughout this document when the terms **Responsibility** and **Domain** are used to refer to components of the Knowledge Profile, they will be capitalized.*

Knowledge Profiles also include the following information for each of the Responsibilities:

- **Associated Knowledge**: What an incumbent needs to know in order to carry out the Responsibility.
- **Associated Relationships**: Types of individuals or organizations an incumbent might need to be in communication with in order to carry out the Responsibility.

*Throughout this guide the term **incumbent** refers to an individual who currently holds the position in question.*

HOW CAN KNOWLEDGE PROFILES BENEFIT THE COURTS?

Knowledge Profiles can be used in the following ways:

- **Succession Planning & Workforce Development**: Profiles help those responsible for hiring understand what someone assuming this position will need to know and be able to do. Likewise, those who are interested in moving into a particular position (or those who are being groomed to do so) can easily see where they need to focus their personal development activities. For succession planning and workforce development, Knowledge Profiles should be considered in conjunction with position competencies. For more information on competencies, refer to the Judicial branch of California Management & Leadership Competencies.
- **Identifying Critical Knowledge**: The Knowledge Profiles are the starting point for determining the knowledge that is critical to positions. Understanding critical knowledge helps focus education, knowledge codification, mentoring, and other workforce management activities. The PICK (Plotting Incumbent Critical Knowledge) Tool is designed to move from *all* knowledge associated with a position to *critical* knowledge. The "PICK™ Users Guide," found in the second section of the *Knowledge Management Handbook*, walks people through this process.

- Organizing Knowledge Resources: The Knowledge Profiles offer a means of keying resources, such as education courses or experts, to specific Responsibilities. This can be invaluable for incumbents or prospective incumbents who find they need to strengthen their skills in a particular area. For example, a CEO who has relatively little experience in designing community programs could be pointed to CJER's course entitled "Community Collaboration."

Who Should Develop Knowledge Profiles?

Knowledge Profiles can be developed directly by the incumbents, by trained AOC specialists, or by a combination of the two. If moving the process along quickly is a factor, the recommended approach is for the AOC to develop a "first-pass" profile (see Step 3 below) and then to work with incumbents in facilitated group sessions to come to some consensus. *This document assumes that the AOC is responsible for generating an initial profile*.

What Is the Process for Developing a Knowledge Profile?

The following section outlines the steps for developing Knowledge Profiles. Three sample profiles (for CEOs, Court Operations Managers, and Senior Courtroom Clerks) were developed using input from court personnel across the branch and can be found in Appendix 1-A.

1. Select position for profiling

There are several major issues in selecting a position for profiling.

First, there is no consistency within the branch regarding position names. The Trial Court Uniform Model Classification groupings are an attempt to group disparate position names under a single title. As work continues in this area, titles will become more consistent. If you are developing a profile that will apply to more than one court or component, be sure to select a position title that is fairly recognizable to everyone involved.

Second, the Responsibilities associated with a particular position are not always consistent across courts. For example, courtroom clerks in some of the smaller courts also perform court clerk activities, while in larger courts they generally do not. If Responsibilities vary broadly across certain types of courts, consider building or customizing profiles accordingly (e.g., Courtroom Clerk – Small Court; Courtroom Clerk – Large Court).

Finally, it takes some time to build a profile, so make sure you select positions that are critical to the courts. “Critical” is defined as:

- Most essential to the functioning and health of the court/branch now and in the future
- Difficult to fill
- Central to the primary function of the organization

For more information on critical positions see the *Succession Planning & Management (SP&M) Guide*.

2. Assemble existing materials

The AOC and many individual courts have done a considerable amount of work defining the Responsibilities and knowledge needs of various positions across the branch. This information can be used to formulate a “first-pass” profile. Among the possible sources for positional knowledge are:

- *Education Committee Curriculum Planning Documents*: Education committees, with guidance from the AOC Education Division, have developed plans which identify knowledge requirements and key tasks for Executives, Managers/Supervisors, and Staff. Although additional work needs to be done in this process, the required knowledge and skills needed for most positions in the branch have been documented. Plans, which are available by contacting the Education Division in the AOC, can serve as a starting point.

- *Job Descriptions*: Many court HR departments compile detailed job descriptions when searching for candidates to fill positions.

- *Process Documentation*: Certain court initiatives focus on mapping the tasks involved in various processes. While these are not mapped to positions, they do describe the work involved. They can be used with position incumbents to identify the tasks for which they are responsible. For example, a document titled “Core Tasks by Functional Area” was used to develop the Senior Courtroom Clerk profile. It can be found in Appendix 1-B.

- *Use Existing Profiles*: If a Knowledge Profile has already been developed for another position at a similar level, it can be used as the starting point to build new profiles for additional positions. For example, the Court Operations Manager Knowledge Profile can be used as a starting point to develop profiles for other mid-management-level positions. Sample profiles can be found in Appendix 1-A.

3. Develop a first-pass summary of Knowledge Domains and Responsibilities

__Knowledge Domain__: Broad category of knowledge associated with the position. __Responsibility__: Position-specific duties within the Knowledge Domain.

At some point during this process you will need to review the profile with position incumbents. However, everyone's time will be better spent if you can begin with a proposed profile that at the very least includes Domains and Responsibilities.

You can go about developing an initial Knowledge Profile in two ways:

- Develop Domains by brainstorming the high-level areas in which incumbents have duties. Existing profiles provide some common categories for Domains, such as Financial Management or Caseflow Management. Once you have all the Domains, drill down and divide each into a set of Responsibilities.

- Brainstorm all of the Responsibilities associated with a particular position. Write them on Post-It notes and place them on a wall. Then group those that seem similar. Once they are grouped, give the grouping a name. These are the Knowledge Domains.

Here are some points to keep in mind:

The PICK Tool (see next step) limits you to 10 Domains and 10 Responsibilities per Domain, for a total of 100 Responsibilities.

- Strive for no more than 7-8 Domains and 4-5 Responsibilities within each Domain. Remember, if you are planning to go through the process of identifying critical knowledge, each Responsibility will need to be rated in some way, and if you have too many this will become a burdensome process.

- Domains should be both *comprehensive* and *mutually exclusive*. In other words, they cover the bulk of what a position incumbent does, and they don't overlap. The same is true of Responsibilities within Domains: they should cover most of what the incumbent needs to do within the Domain, and to the extent possible they should be independent activities.

- Domains should sit at more or less the same level. In other words, the scope of the Responsibilities involved should be similar. Thus, if you come up with a Domain called Financial Management, and another called Meeting Management, the latter is probably too restrictive and should be incorporated at a lower level in the knowledge hierarchy. The same is true of Responsibilities within Domains.

- If you are planning to use the PICK Tool to identify critical knowledge, consider creating a similar number of Responsibilities within each Domain. Each Responsibility within a Domain will receive an "importance weight" during the scoring process; because the weights must sum to 100, the more Responsibilities there are, the lower their weights will tend to be, and vice versa. This can result in emphasizing the Responsibilities in Domains that contain a small number of Responsibilities and de-emphasizing those in Domains with a large number of Responsibilities.

4. Enter Knowledge Profile (optional) into the PICK™ Tool

Once you have determined how to group the Responsibilities into Knowledge Domains, you are ready to use the Knowledge Profile template, which is part of the PICK Tool. It will be necessary to have a Knowledge Profile entered into the tool in order to use it to identify critical positional knowledge. PICK is an Excel-based tool, so if you have developed your profile in Word, you will need to cut and paste the material into the appropriate cells. See the section entitled "Enter Knowledge Profile" in the "PICK™ Users Guide" for more information.

Note that a Knowledge Profile has stand-alone value. If you are not interested in determining importance or risk of loss for positional knowledge, it is not necessary to use the PICK Tool and this step can be skipped.

*The PICK (Plotting Incumbent Critical Knowledge) Tool is a software-based tool designed to help groups and individuals move from Knowledge Profiles (**all** knowledge associated with a position) to what is **critical**.*

*Make sure when you enter profile information into the PICK Tool that you **rename the file**.*

You can actually use the template at any time during the profile development process. However, it is recommended that you develop the basic organization of the profile first, because it is easier to move elements around in a format other than Excel.

5. Summarize Tasks

Summarizing the Tasks is part of the profile development. If you are not using the PICK Tool, you can continue to develop the profile in whatever format you wish (i.e., skip step 4). If you are using the PICK Tool, it is easier to develop Tasks and other information in the Knowledge Profile template of the tool itself so that you don't have to cut and paste text later on.

Describe each Responsibility by listing the three or four Tasks that each entails. You can assemble the Task list prior to validating the profile with position incumbents (next step), or you may want to meet with incumbents and get their input in order to complete this step.

6. Validate Knowledge Profile with incumbents

Eventually, if they have not been involved to date, you will need to test your profile with incumbents. This can either be done one-on-one or by assembling a group of incumbents and engaging them in a discussion regarding the following questions:

- Does the Knowledge Profile largely reflect what you are expected to accomplish in your job?
- Is there something important you would add and why?
- Is there something you don't thing belongs as part of the Knowledge Profile?

Position incumbents can also help you populate the remainder of the profile (see next step).

The main issue that is likely to arise as incumbents review the first-pass profile was mentioned under Step 1 – namely that the jobs of people with the same position title can differ at the Responsibility or even the Domain level. For example, a CEO in a large court will generally have access to staff that focuses on a single specialty area such as facilities management, while the CEO of a smaller court may be personally responsible for something like space allocation.

If you are working on a position with incumbents in more than one court or component, and there are significant differences between what incumbents in each court need to know or do, you may need to sort the incumbents into subgroups (such as large and small courts) and work up several variations of the profile that would apply to each natural grouping. (Small, Medium, and Large Courts are probably the most common; Rural and Urban might be another.)

Responsibilities and Tasks can be included in the profile even if they are not relevant to every position incumbent.

7. Add additional information

Incumbents can help you complete the remainder of the profile. The following information should be included at the Responsibility level:

- *Associated Knowledge*: Knowledge that enables the incumbent to carry out the Responsibility.
- *Associated Relationships*: Types of individuals or organizations the incumbent might need to know, and preferably be on good terms with, in order to meet the Responsibility.
- *Associated Resources* (optional): The profile provides a handy way to "map" resources such as education courses to specific incumbent Responsibilities. For instance, in the example above, there may be specific courses, or possibly a set of published guidelines on the intranet, that focus on building community-based programs. Incumbents, or prospective incumbents, can then use the profile to locate resources that can assist them in their professional development.

There may be other information that you wish to gather in relation to Responsibilities. For example, Associated Resources could be divided into Education Courses and Documents/Manuals. A section for Experts could be added. The Knowledge Profile template in the PICK Tool allows you to add several additional columns of information.

8. Identify critical knowledge

The profile is now complete, and you are ready to use the PICK Tool to identify critical knowledge for the position in question. Refer to the "PICK™ Users Guide" for more information on this process.

9. Revisit the profile periodically

The Knowledge Profile should not be viewed as static, but as dynamic. Responsibilities may change, and certainly if you are maintaining a record of Associated Resources you will want to update these as more are added or others are discarded.

The best time to revisit the Knowledge Profile is prior to conducting subsequent sessions with the PICK Tool. However, it is more likely there will be a change in what is considered critical than that there will be a change in the positional knowledge itself.

APPENDIX I-A: SAMPLE KNOWLEDGE PROFILES

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
1. Courts & The Community					
1.1	Develop community-focused improvement programs				
		Identify community needs/ Provide avenues for community to voice concerns/ Implement initiatives to better meet community needs	County demographics/ Cultural areas, regions of county/ Expectations, concerns and needs of the community	Community representatives (Board of Supervisors, council, justice agencies, police force)	
1.2	Serve as representative of the courts to the public				
		Provide public education/ Participate in speaking engagements	Understanding of the history and role of the courts in the community/ Public speaking techniques	School district/ Community groups	
1.3	Serve as representative of the courts to the media				
		Develop communications strategy/ Foster media relationships and respond to media questions/ Develop crisis communications plan/ Serve as court spokesperson	Public relations strategies/ Interviewing techniques/ Crisis communications principles	Members of the press, including reporters, editors, public relations agencies, producers	
1.4	Collaborate with other community agencies				
		Work with other community organizations and agencies in delivering the work of the courts	Workings of various community agencies and collaborative or problem-solving courts	Community agencies/ organizations, including County Administrator and staff, Social Services (Probation, Health Dept. Proposition 36)	Course: "Community Collaboration"

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
1.5	Gather information on trends that impact the local community				
		Gather information on national, state and local trends that have an impact on the services required by the community	Data-gathering tools and approaches/ Understanding of local issues	IT staff	
2. Legislative Affairs/ External Relationships					
2.1	Serve as court representative to the branch				
		Serve as member of committees, task forces, workgroups, etc./ Provide input on local needs for branch-wide initiatives/ Serve as the liaison between the court and branch administration/ Build relationship with regional office and various AOC departments/ Respond to information requests from the AOC	Understanding of how local needs and issues will be impacted by standardization and branch-wide projects/ Organization and resources of the AOC	Committee and task force members/ AOC/ Regional office staff/ Judicial Council	
2.2	Manage and support legislative agenda recommendations at the local and branch level				
		Develop court agenda (local focus)/ Recommend and support branch-wide agenda (state focus)	Branch strategy and goals	Legislature/ Judicial Council	
2.3	Review legislation, rules, forms, standards and studies for impact on court procedures and communicate to affected staff				
		Monitor how changes in legislation impact court procedure/ Work with managers and impacted local agencies to adapt procedures to changes in legislation/ Work with PJ, Rules Committee, Executive Committee, etc. to set local rules	Court procedures and how other agencies are involved in/impacted by them	Rules Committee/ Executive Committee/ Judicial Council/ Local agencies/ County government/ Court managers and staff	

Position:	CEO				
Knowledge Domain	**Responsibilities**	**Tasks**	**Associated Knowledge**	**Associated Relationships**	**Associated Education Resources**
2.4	Adapt statewide initiatives to work locally				
		Work with AOC to understand the requirements of branch-wide initiatives/ Work with court managers to ensure that standardized processes continue to meet local needs	Key branch-wide initiatives/ Local court requirements for affected procedures	AOC/ Court managers	
3. People Management					
3.1	Develop and implement human resource plans and policies at the court				
		Develop employee benefits and workforce management plans/ Manage disciplinary actions and terminations/ Develop and implement investigative procedures for employee complaints/ Ensure regulatory compliance (e.g., ADA)/ Oversee HR administration	Regulatory compliance guidelines/ Employee benefit options/ HR policies/ ADA case law/ Workers' compensation laws	HR department/ AOC	
3.2	Manage labor negotiations and interaction with unions				
		Negotiate MOUs/ Ensure that HR activities comply with union rules/ Handle strike situations	Union rules/ Negotiation tactics/ Existing labor contracts	Labor unions	
3.3	Manage staffing and employee development to meet the court's workforce requirements				
		Oversee performance evaluation process/ Recruit, select, and retain staff/ Institute succession and transition planning/ Oversee change management initiatives/ Design career paths/ Coach colleagues and staff/ Promote and support employee education and ensure compliance with education requirements	Performance evaluation guidelines/ Staffing needs/ Education requirements and development needs of managers and staff/ Coaching and mentoring techniques	AOC Education/ Court managers and staff	Course: "Leading Organizational Change"

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
3.4	Ensure staff is kept informed of branch strategy, key issues, and developments				
		Serve as branch spokesperson to the staff/ Provide information-sharing venues to the staff	Branch strategy and developments/ Communications vehicles/ Knowledge management approaches	Staff/ AOC	
3.5	Manage the relationship with the PJ, Executive Committee, and the bench				
		Negotiate leadership model and shared Responsibilities with the new PJ/ Present proposals regarding changes in procedures to the bench	Negotiation tactics/ Local judges' interests and preferences	PJ/ Executive Committee/ Local judges/ Judicial Council	
4. Facilities & Security Management					
4.1	Plan for and allocate space based on the court's current and future facilities needs				
		Conduct audits for future needs and secure funding/ Allocate space for ongoing court operations and ancillary functions/ Handle parking issues	Physical plant and premises	Court managers and staff/ Facilities staff	
4.2	Oversee building maintenance				
		Ensure compliance with safety regulations, branch standards, etc./ Ensure maintenance/appropriate upgrading of lighting, elevators, security, communications systems, and technology infrastructure/ Negotiate service contracts (janitorial, security, etc.)	Safety and security standards/ Contract negotiation	Service contract vendors	
4.3	Oversee court renovation projects				
		Oversee needs assessment for new projects/ Select, negotiate and work with vendors, contractors, and architects	Improvement needs	Contractors/ Vendors/ Architects	

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
4.4	Develop and implement procedures for ensuring court security				
		Ensure security of courtroom, courthouse, and perimeter area through institution of appropriate procedures such as weapons screening and implementing security systems/ Develop evacuation, disaster recovery, and business continuation plans	Security procedures/ Crisis planning	Facilities staff	
5. IT Management					
5.1	Develop technology plan for the court and provide recommendations for branch-wide plan				
		Identify technology trends and determine impact on needs and opportunities for the courts/ Analyze, evaluate and recommend technology solutions (hardware and software) appropriate for the court/ Secure funding for technology implementation/ Review proposals related to technology enabled data collection/ Review/comment on branch (statewide) technology plan	Technology-based opportunities/ Broad functionality of new and existing technologies/ Requirements of statewide technology initiatives/ Local court technology needs/ Funding sources	Court managers and staff/ AOC IS department	Course: "Managing Technology"
5.2	Oversee implementation of court and branch technology plan				
		Oversee development/implementation and maintenance of HR systems; oversee implementation of state-mandated systems projects and ensure integration with other systems	HRIS systems; other branch-wide systems	AOC IS and HR departments	

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
5.3	Plan for and develop policies for technology protection and usage				
		Oversee development of court technology protection and security system/ Oversee development of technology disaster recovery plan	Technology security procedures	Technology staff/ AOC IS department	
5.4	Oversee selection and management of IT vendors				
		Work with IT and staff to outline technology requirements/ Review vendor proposals/ Negotiate contracts/ Review vendor performance	Local court technology needs/ Leasing options/ Vendor capabilities	Technology staff/ Vendors	
6. Financial Management					
6.1	Develop multi-year resource projections and court budget				
		Establish court resource needs/ Establish budget priorities/ Oversee budget preparation	Budgeting procedures	Finance staff/ AOC Finance	Course: "Court Budgeting"
6.2	Identify funding sources and secure funding				
		Obtain funding for state mandated initiatives (e.g., CARS)/ Evaluate and implement revenue-enhancing options	Funding sources	AOC	
6.3	Manage court accounting during the fiscal year				
		Oversee accounting, payroll, and financial controls/ Oversee invoice processing and collections/ Monitor expenses during the financial year	Accounting practices	Finance staff	
6.4	Maintain financial records and provide reports to the AOC				
		Work with Finance staff to ensure financial record keeping is consistent with branch-wide policy/ Respond to AOC requests for financial information	Record-keeping practices	Finance staff/ AOC Finance	

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
7. Strategic & Operational Planning					
7.1	Oversee strategic planning process				
		Define and refine court's mission and goals/ Solicit input and gather information from court stakeholders (employees, community, other organizations)	Mission and strategic objectives of the branch	AOC/ Judicial Council/ Local court stakeholders	
7.2	Create and monitor operational plans				
		Translate strategic plan into operational goals and action steps/ Coordinate funding where necessary/ Monitor performance of the court against milestones/ Communicate successes	Operational planning guidelines/ Funding sources	Court managers and staff	
8. Case Flow Management and Courtroom Support					
8.1	Ensure successful application of court procedures				
		Work with managers and staff to achieve smooth scheduling and calendaring, caseflow management, jury management, handling of the public, making the record, record keeping and destruction, and communication of court orders	Courtroom and backroom procedures/ Case management system functionality	Court managers and staff/ Judicial bench	Course: "Caseflow Management"
8.2	Coordinate with ancillary services				
		Oversee communications with other groups and agencies involved in court cases/ Work with managers and staff to ensure smooth coordination of Responsibilities with these groups	Role of ancillary service providers/ Case management procedures	District Attorney's Office/ Public Defender's Office/ Civil, Bar Association/ Sheriff's Office/ Probation Office/ Child advocacy programs	

Position:	CEO				
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Associated Education Resources
8.3	Improve public access to the courts				
		Institute procedures that provide assistance to self-represented litigants, interpreter services, assistive listening systems, and computer-aided transcription for persons with disabilities/ Provide venues for requests for information from the public/ Provide access to alternative case resolution options	Public access issues and solutions/ Alternative dispute resolution practices	Court managers and staff	
8.4	Develop and improve case flow management processes and court procedures				
		Utilize technology for more effective case flow management/ Recommend and implement process improvements/ Evaluate effectiveness of case flow management/ Oversee reengineering efforts and best practice sharing to improve court processes	Courtroom and backroom procedures/ Case management system functionality	Court managers and staff/ Executives in other courts/ AOC	

Position:	Court Operations Manager			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
1. People Management				
1.1	Establish and implement staffing plans for group/unit			
		Provide input on hiring and firing staff; help design jobs, work processes, and performance standards/ Allocate staff resources within parameters allowed by union MOUs and other labor agreements/ Approve or manage time tracking, vacation, schedules for group or unit	HR policies for the courts/ State and federal laws regarding the courts as employers/ Labor codes and MOUs/ Grant labor requirements/ Interviewing tools and techniques/ Competencies and knowledge requirements of staff positions	Labor unions/ Court staff/ HR staff
1.2	Establish and implement workforce development plans for group/unit			
		Monitor and evaluate staff performance/ Identify training and development needs and assign staff to training or developmental projects/ Provide coaching and mentoring to staff	Coaching and mentoring techniques/ Training offerings, both court-specific and AOC	Court managers and staff/ AOC Education
1.3	Provide input on labor negotiations and manage labor relations for group/unit			
		Manage dispute resolution, grievance processing, and disciplinary actions for staff/ Participate in labor negotiations	Labor codes and MOUs/ HR procedures	Labor unions/ Court staff/ HR staff
1.4	Manage communications and team building for group/unit			
		Provide opportunities and avenues for team-building and communications/ Motivate staff to be high-performing and aligned with court objectives	Communications venues/ Team-building techniques	Court managers and staff/ Training staff/ AOC Education
1.5	Serve as liaison between court staff and judicial bench			
		Manage communications with bench/ Resolve judges' concerns/complaints related to group/unit	Judges' preferences and ways of conducting business	Court managers and staff/ Judges

Position:	Court Operations Manager			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
2. Caseflow Management and Court Operations				
2.1	Oversee case management and courtroom activities			
		Supervise calendar management and scheduling, case preparations, clerical staff activities, jury management activities, court reporting, and operation of the case management system	Courtroom and back office procedures for areas under supervision/ Statutes regarding case preparation/ Jury management procedures/ Case management principles/ Information and records-keeping systems used by court/ Technical requirements of case management system	Court managers and staff/ IT staff/ Judges
2.2	Manage workflow for group/unit			
		Plan, coordinate and direct the work of direct reports/ Ensure consistency of procedures and work methods	Work requirements for different court processes	Court managers and staff
2.3	Coordinate with county agencies, ancillary services, and other groups involved in case processing			
		Oversee communications with other groups or agencies involved in court cases/ Work with managers and staff to ensure smooth coordination of Responsibilities with these groups	Services provided by local justice system agencies and other programs that provide support to litigants/ Role played by other groups involved in case processing	Court managers and staff/ Probation Department/ Prison officials/ District Attorney's office/ Child advocacy programs
2.4	Participate in initiatives related to court performance evaluation and process improvements			
		Analyze workflow and identify and implement continuous process improvements in both courtroom and back office procedures	Workflow analysis techniques/ Court statistics, information systems, and Trial Performance Standards/ Best practices from other courts	Court managers and staff/ Executives and staff in other courts

Position:	Court Operations Manager			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
3. Community/Customer Relations				
3.1	Serve as representative of the courts to the public			
		Provide public education on the courts including programs and tours for local schools	Court purposes and mission/ Jurisdiction and organization of court systems and the courts/ Informational needs of the community and schools	Local school officials/ Other community groups
3.2	Develop community-focused improvement programs			
		Create mechanisms for gathering information on community needs/ Collaborate with community agencies, groups, and individuals on issues that impact court services	Understanding of community needs/ Data-gathering and survey tools	Community leaders and agencies, including Board of Supervisors, City Council, justice agencies, police force
3.3	Foster a customer service culture			
		Ensure customer complaints are resolved/ Ensure public access to the courts, including providing ADA and interpreter services	Complaint resolution procedures/ ADA guidelines/ Available interpreter services	Court managers and staff/ Community groups/ Interpreter services providers
4. Legislative Affairs				
4.1	Review legislative changes			
		Identify implications for divisional policies, procedures, and operations/ Consult with experts at the AOC or other courts to interpret changes/ Communicate changes and interpretation to appropriate managers and staff	Laws, codes, and regulations affecting division operations	Court managers and staff/ AOC/ Experts in other courts
4.2	Develop and implement plans to address changes in procedures			
		Develop changes in conjunction with managers and staff/ Present proposes changes to executives and judicial bench/ Coordinate with outside agencies such as DA, probation, etc. who are impacted by changes	Court procedures and the impact of changes on the entire judicial process	Court managers and staff/ Outside agencies

Position:	Court Operations Manager			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
4.3	Serve as an expert in area of specialty			
		Provide expertise to managers and staff/ Serve as liaison to other divisions or courts regarding specialty/ Provide information to AOC in area of specialty	Statutes and procedures in area of specialty	Court managers and staff/ Other courts or divisions/ AOC
5. Administration				
5.1	Participate in court financial management activities			
		Contribute to budget development and justification/ Analyze HR expenditures and ensure alignment with staffing ratio requirements/ Compile data for Judicial Council reports	Budgeting/ Expense reporting/ Staffing requirements	Finance staff/ HR staff/ Executive Council/ AOC and Judicial Council
5.2	Support development, implementation, and use of court technologies			
		Analyze and update existing procedures to new information systems/ Contribute to functionality needs assessment discussions with IT and IT vendors/ Participate in integration and migration to branch-wide systems/ Ensure staff is trained on court technologies/ Coordinate with IT to develop business continuation programs (in case of system shutdowns, viruses, etc.)	Existing court technologies/ Court needs for future systems/ Requirements and time-line for integration with branch-wide IT initiatives	Court managers and staff/ IT staff/ IT vendors/ AOC IT
5.3	Support ongoing facilities management			
		Monitor and report any problems with facilities maintenance and compliance with safety, security, and ADA guidelines/ Participate in needs assessment for building/renovation projects	Security and safety standards/ Future facilities requirements of the court	Facilities staff/ Contractors
6. Strategic & Operational Planning				
6.1	Participate in strategic and operational planning process			
		Analyze divisional resources and identify resource needs/ Provide input to operational goals/ Develop contingency plans		

Position:	Court Operations Manager			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
6.2	Monitor plan implementation			
		Provide data relevant to performance against plan for area of jurisdiction/ Make necessary changes to meet court performance goals		

Position:	Senior Courtroom Clerk			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
1. General Case Processing and Records Management				
1.1	Update information in case management system			
		Receive new filings and assign case numbers/ Update case registers and indexes/ Record required data regarding parties, documents, and events	How related documents need to be completed and what needs to happen to them/ Documentation requirements of case management system	Back office staff/ IT staff
1.2	Organize files for court			
		Identify, pull, and transport files to courtrooms/ Track and retrieve files for specific cases/ Prepare files for court, including review for completeness	Types of files, forms, and other documents required for a particular type of case	Back office staff
1.3	Process judicial rulings			
		Prepare, process, and record all post-proceeding orders, judgments, and sentences/ Prepare, process, and record all notices, executions, and writs	Types of judicial rulings, how they need to be processed, and what parties require notification	
1.4	Handle fees and billing			
		Receive and record filing fees and other payments/ Disburse payments to appropriate parties or accounts/ Prepare bills for trial costs and case processing services	Fee processing procedures/ Payment requirements	
2. Calendaring and Caseflow Management				
2.1	Manage calendars			
		Assign cases to calendars/ Produce, publish, and post calendars/ Coordinate with outside agencies regarding schedules	Calendaring procedures/ Outside agency requirements regarding scheduling and notification	Outside agencies involved in cases

Position:	Senior Courtroom Clerk			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
2.2	Ensure individual cases are on track			
		Monitor readiness of parties for hearings and trials/ Notify relevant parties regarding missing information, documents, and forms/ Coordinate with relevant parties to ensure on-time appearance of all persons required in court/ Monitor status of individual cases and follow up with involved parties when cases are off track	Knowledge of forms from outside agencies that need to be completed and submitted	Attorneys/ Judges/ Other involved agencies
2.3	Advise all parties regarding status of cases			
		Provide notices to all parties concerning court dates and requirements, including information on change of venue/ Process and monitor action on warrant cancellations and notify law enforcement	Procedural requirements for defendants, their attorneys, etc.	Attorneys/ Judges/ Other involved agencies
3. Courtroom Procedures				
3.1	Prepare minutes for cases			
		Record information and prepare documents summarizing significant facts about hearings and trials	Minute preparation procedures	Judges
3.2	Manage exhibits			
		Identify, mark, and record status/ Maintain inventory of all exhibits/ Deliver exhibits admitted to jury/ Oversee exhibit custody and return	Procedural requirements for labeling and maintaining exhibits	
3.3	Manage documents			
		Ensure that files and documents are available in the courtroom/ Ensure documents are accounted for and returned to central clerk's unit	Knowledge of back office procedures, including how documents are filed and retrieved	Back office staff

Position:	Senior Courtroom Clerk			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
3.4	Prepare paperwork			
		Issue required notifications and orders to parties, service providers or executive branch agencies (e.g., jail, bondsmen)/ Prepare documents required for forfeiture or exoneration of bonds/ Prepare warrant-related notices	How specific documents need to be completed/ Document requirements of specific agencies involved in the procedure	Service providers/ Executive branch agencies
3.5	Provide jury support			
		Call and seat jurors for voir dire/ Record juror status/ Administer oaths/ maintain attendance record/ Poll jurors	Role of the jury in the court system	Jury management staff/ Judges
3.6	Manage the public in the courtroom			
		Maintain quiet and order in the courtroom before, during, and after hearings and trials/ Provide information to participants and the public/ Advise the public on procedures in the event of emergencies	What would constitute legal advice or any other advice that courtroom clerks are prohibited from providing/ Security and emergency procedures	Bailiffs
4. Administrative Support for Judges				
4.1	Prepare documents			
		Prepare and manage correspondence/ Prepare opinions	Requirements of individual judges regarding procedures and how this is different from procedural standards laid down by the statutes	Judges
4.2	Provide general office support			
		Answer phones/ Maintain office files/ Assume general receptionist Responsibilities	General office etiquette	Judges

Position:	Senior Courtroom Clerk			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
4.3	Analyze legislative changes			
		Review legislative changes regarding court rules and procedures/ Advise judge regarding the implications of any changes in procedure	What new legislation has been passed and how it impacts existing procedures/ Statutes, case law and rules of the court that impact these procedures/ A broad understanding of judicial Responsibilities as regards courtroom procedures so they can support new or inexperienced judges	Judges/ Supervisors and managers
5. Staff Coordination and Training				
5.1	Train new hires			
		Train new staff assigned to the division	Basic requirements for entry-level courtroom clerks/ Specific courtroom procedures that need to be followed as adapted by specific court	Other courtroom clerks/ Supervisors and managers
5.2	Train existing staff on changes to procedures			
		Provide refresher training regarding changes in law and procedure/ Train court staff in use of automated systems/ Coordinate with outside parties such as law enforcement agencies who are impacted by changes and incorporate any relevant information into staff training	What new legislation has been passed and how it impacts existing procedures	Other courtroom clerks/ Supervisors and managers
5.3	Assist in managing workflow			
		Assist manager in supervising and managing workflow of the division/ Help coordinate scheduling of courtroom clerks	Scheduling procedures	Other courtroom clerks/ Supervisors and managers

Position:	Senior Courtroom Clerk			
Knowledge Domain	Responsibilities	Tasks	Associated Knowledge	Associated Relationships
5.4	Serve as stand-in for manager			
		Assume managerial Responsibilities as required	Basic Responsibilities of the court manager	Supervisors and managers
5.5	Cover for other courtroom clerks			
		Substitute for courtroom clerks in other departments as needed	Basic Responsibilities of courtroom clerks in other departments	Other courtroom clerks/ Supervisors and managers

Appendix II-B: Core Tasks by Functional Area

This document comes from the AOC. It was used to help develop the Senior Courtroom Clerk Knowledge Profile.

Contact at the AOC: Dag MacLeod at 415.865.7660.

Time Study — Core Tasks
(By Functional Area)

General Case Processing

1 Receive new case filings and documents, assign case number, stamp, collect fees, route to data entry, etc.

2 Update case registers and indexes, record required data regarding parties, documents and events in the automated or manual case management system.

3 Prepare/process/record all post-proceeding orders/judgments/sentences, notices, executions, and writs.

4 Judgment processing and recording: maintain records relating to judgments, including assignment of judgment number/case number/identifier; index/record in appropriate registers; issue notices to judgment debtors/creditors; prepare abstracts and satisfaction of judgments, etc.

5 Prepare documents for appeals (e.g., transcript or tape, clerks papers and index, notification to court reporters); maintain internal case tracking records, compute costs of appeals processing, forward case records to other court, record and process higher court judgments, etc.

6 Provide notices to parties regarding court dates and requirements, including form notices linked to calendars, custom notices to individuals and change-of-venue correspondence.

7 Prepare files for court, including routine review for apparent completeness of the file, check for documents in process that may not be in the file, search for related cases where necessary.

8 Process warrants and return of service on warrants, process warrant cancellations and notify law enforcement; monitor action on cancellations.

9 Maintain records of in-custody defendants, process documents for jail release, coordinate with custodial officials, and monitor in-custody cases.

10 Process/prepare cost bills for trial costs and bills for case processing services provided by the court.

11 Process/prepare special case certification records for state and federal executive branch agencies and representatives in probate and guardianship cases (e.g., licensing, adoption, marriage dissolution, etc.).

12 Miscellaneous counter services: provide files or case-specific information to litigants and the public, duplicate/certify/conform copies of case documents, provide forms and/or direct customers to appropriate offices/units.

13 Respond to phone and/or e-mail requests for case-specific information.

Records Management

14 File folder management: create file folders, shelve files, add documents to files after they are processed, pull and re-shelve files, consolidate/coordinate files of related cases.

15 Make files available for court hearings, identify, pull and transport files to courtrooms.

16 Maintain file check-out system: record file check-out/delivery; track and retrieve all case files when they are not on the shelves, including from off-site locations; locate misplaced case files.

17 Record retention: archive and microfilming case documents and files, reconstruct and/or purge files when necessary.

18 Maintain exhibits: index, store, provide notification to reclaim; return to owner, destroy when appropriate.

19 Sealing and purging: identification and processing of sealed records; processing expungement orders.

20 Optical records processing: scanning and related services to support digital record storage.

21 Provide audio-recorded records of proceedings when requested by judges or lawyers for trial, decision preparation, or other purposes.

Calendaring and Caseflow Management

22 Assign cases to regularly scheduled calendars, produce calendars, publish and post calendars.

23 Schedule individually set trials and hearings (lengthy motions, conferences, etc.).

24 Coordinate with law enforcement agencies regarding schedules for traffic and other high-volume calendars.

25 Coordinate with jail/transportation officers to assure timely and reliable appearance of in-custody defendants.

26 Review case files prior to hearings, ensure that required actions are complete, and that information needed by court is available and conforms to court policy.

27 Monitor readiness of parties for hearings and trials and confirm appearances; notify relevant individuals prior to hearings about missing information/documents or non-compliant legal forms, including default judgments on paperwork that must be corrected.

28 Research/monitor status of individual cases, and follow up with lawyers/parties when cases are “off track.”

29 Maintain accurate inventory of cases pending: distinguish inactive (e.g., interlocutory appeals; fugitive status) from active cases; produce list of active cases, consult with managing judges when cases are “off track.”

30 Monitor continuances, scheduled vs. actual appearances; and implement correctives.

31 Identify and dismiss inactive cases.

32 Collect and use statistical data to help judges maintain timely case processing.

33 Determine needed frequency and scheduling formulas for periodic regularly scheduled hearing sessions.

34 Track cases referred to alternative dispute resolution and initiate reminders or other actions when case resolution exceeds standards for timely processing.

Courtroom Support and Administrative Support for Judges

35 Minute taking: record information and prepare documents summarizing significant facts about court hearings (e.g., date, judge, purpose, appearances, orders/judgments).

36 Manage exhibits: identify, mark, and record status; maintain inventory of all received; deliver admitted to jury; oversee custody and return.

37 Manage documents: ensure that files/documents are available in the courtroom when needed; documents filed in courtroom are accounted for and returned to central clerk's unit.

38 Record and update results of group-scheduled hearing calendars to ensure case status is accurate and current.

39 Provide clerical and administrative follow-through after court hearings to issue required notifications and orders to parties, service providers or executive branch agencies (e.g., jail, bondsmen).

40 Prepare paperwork required for forfeiture or exoneration of bonds; warrant-related notices, etc.

41 Jury related duties: call/seat jurors for voir dire; record juror status (seated, excused, reasons); administer oaths, maintain attendance record; poll jurors.

42 Courtroom order and protocol: maintain quiet and order in courtroom before, during, and after court hearings; direct and provide information to participants and public.

43 Administrative support duties for judges: prepare correspondence, opinions; answer phones; maintain office files; receptionist duties.

44 Operate and monitor electronic recording (E-R) equipment in court sessions (including: daily equipment checks; make log of proceeding; supplies and equipment maintenance; index and store tapes or files).

Case Monitoring/Enforcement

45 Set up case for monitoring court ordered sentences, judgments, probate reports, deferred prosecutions, diversion conditions, etc.

46 Monitor and document compliance with court-ordered payments and/or behavioral terms of orders.

47 Implement informal compliance enforcement measures when appropriate (e.g., written and telephone notices, interview or mediation, revised payment plan, community service alternatives, etc.).

48 Report non-compliance to enforcing authority with documentation.

49 Monitor special traffic or motor vehicle cases including traffic school, civil motor vehicle judgments for satisfaction, and report non-compliance to authorities with documentation.

Financial Management

50 Receive filing fees, cost, sentence/judgment payments, etc. and issue receipts for monies received.

51 Identify and process irregular checks received (e.g., improperly tendered, illegible, returned for non-sufficient funds), including notification of tender, adjustment of payment records, etc.

52 Reconcile daily receipts and cash registers.

53 Process deposits: determine appropriate accounts (general, trust, etc.), prepare deposit slips for appropriate accounts, transmit deposits, maintain deposit records, etc.

54 Distribute and disburse payments: determine appropriate distribution of payments (e.g., statutory fund accounts, child support accounts, individual payees, etc.) and disburse funds to treasurer and other payees as appropriate.

55 Bail/bond accounting: e.g., receipt and post, apply bail/bond monies held in trust to fine/penalty accounts, refund monies, disburse unclaimed funds to appropriate account, follow up on bond payments when partially satisfied.

56 Identify and determine of ownership and disposition of apparently abandoned cash trust monies and cash exhibits.

57 Accept, endorse and forward case-related wage withholding checks for deposit to appropriate account.

58 Maintain case-related time payment agreement records and statements.

SPECIALIZED TASKS

Jury Services and Management

59 Create juror source lists, prepare jury summons lists and summon jurors.

60 Process juror correspondence and calls regarding excuse requests, questions, etc.

61 Create and manage juror call-in information system.

62 Manage juror appearance/reporting/utilization procedures: record attendance, provide juror orientation; assign jurors to cases and track assignments.

63 Maintain records for juror payment, prepare cost bills for civil jury trials and track payment.

Legal Research

64 Assist judicial officers and/or court attorneys with research; prepare standard legal documents; conduct screening interviews.

65 File and document review: provide procedural and paralegal review of case files and documents to ensure case files are complete and accurate.

66 Case-related legal research and analysis: review and summarize written motions; brief cases; provide recommendations for issue resolution and case management.

67 Analyze new legislation or rules, emerging issues or new program plans and make recommendations to the court regarding policy.

68 Provide information to unrepresented persons about court requirements and assist unrepresented litigants with procedural compliance (e.g., domestic violence, child support).

Court Reporting (Stenotype)

69 Take down in shorthand/stenotype the verbatim record of proceedings.

70 Store stenotyped notes in centrally available storage location or medium to ensure accessibility of notes to court officials in absence of the original reporter.

71 Provide "working" transcripts (non-certified) for judges or lawyers for special purposes (e.g., decision deliberation/writing, trial preparation).

72 Provide real-time version of computer-transcribed notes on-screen in the courtroom as requested by judges, counsel or parties for use during a trial.

73 Prepare certified transcripts for appeal as required by law or rule of court, including preparation of computer discs on death penalty cases.

74 Prepare transcript management reports for administration: lists of transcript orders with case number, order date, ordering party, scheduled completion date, delivery date, number of pages.

Dispute Resolution/Mediation/Evaluative Services

75 Bail/release screening.

76 Investigate, evaluate and assess individuals for specific problems and make recommendations for referral (e.g., substance abuse, parental fitness, etc.).

77 Prepare investigative/evaluative/diagnostic reports and recommendations for judges; testify in court.

78 Provide information and intervention services to individuals or groups to effect compliance with orders and/or assist them to enhance capacity for social functioning.

79 Screen and refer cases to alternative dispute resolution; provide alternative dispute services; track cases in ADR.

80 Mediate disputes between parties to facilitate voluntary settlement or narrow issues for judge, including child custody, juvenile dependency, probate and guardianship cases.

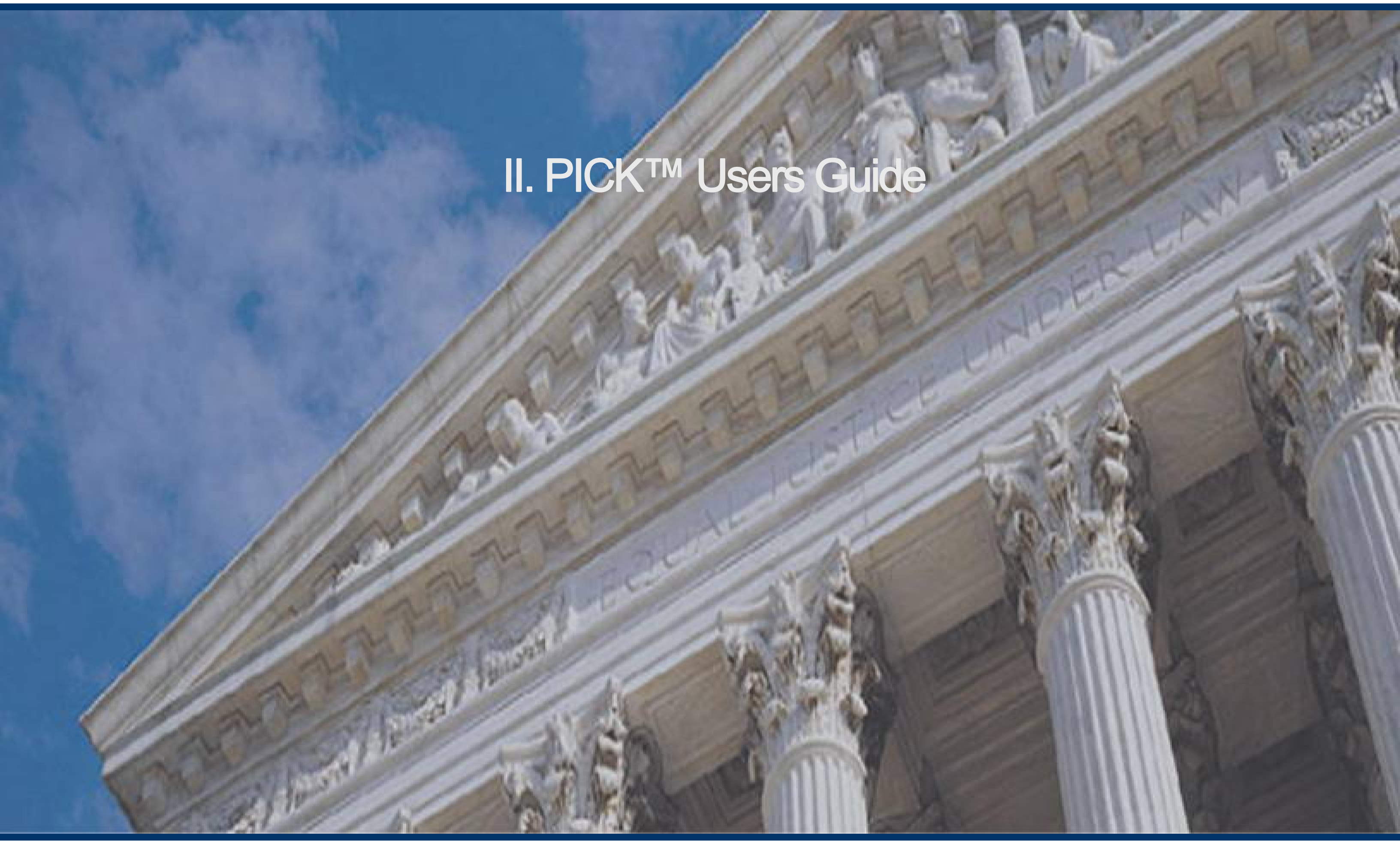
Interpreting

81 Provide in-court interpreting services for litigants, jurors or witnesses who do not speak English or are hearing impaired.

82 Provide interpreting services outside of court for lawyers, bail screening personnel, probation staff, and others (including in lock-up facilities).

83 Provide translations of written documents in languages other than English that are evidence needed for case adjudication or disposition.

II. PICK™ Users Guide



How to Use This Guide

This guide is aimed at those who will be responsible for facilitating group sessions that will use the PICK Tool to identify critical positional knowledge. It provides both background information on the tool and a step-by-step process for using it in a group setting. The step-by-step portion of the guide is best read by those whose who have access to the PICK Tool, so that they can follow the instructions using the actual software.

The tool depends on the existence of a Knowledge Profile (a hierarchy of the knowledge associated with a particular position) which is used as the basis for determining critical knowledge. Therefore this guide should be used in conjunction with the first section of the *Knowledge Management Handbook*, titled "Guide to Creating Knowledge Profiles."

The PICK™ Tool

PICK (Plotting Incumbent Critical Knowledge) is a customized tool that has been developed for use by the Judicial branch. It was designed to help the courts and other branch components identify what positional knowledge should be the focus of transfer, education, hiring, and other workforce management activities. "Critical" is defined as a combination of two dimensions:

1. Importance

2. Risk of loss

After filling in the appropriate assessment information, users will be presented with a chart that plots position-related knowledge on an Importance/Risk matrix.

The tool begins with a Knowledge Profile. Knowledge Profiles are comprehensive summaries of the knowledge and duties associated with a particular position. For more information on how to develop a Knowledge Profile, see the section of the *Knowledge Management Handbook* titled "Guide to Creating Knowledge Profiles."

Each profile is divided into two levels of knowledge, which will be evaluated at some point during the process:

- Knowledge Domain: Knowledge Domains are the highest-level category and consist of a set of Responsibilities. Knowledge Domains are relatively broad. An example might be Financial Management.

*Throughout this document when the terms **Responsibility** and **Domain** are used to refer to components of the Knowledge Profile, they will be capitalized.*

- **Responsibilities**: A position-specific duty within the Knowledge Domain. For example, people in many different positions might do something in the area of Financial Management. However, only a CEO would have the Responsibility, “Develop court budget.”

The Knowledge Profile also includes the following information related to each Responsibility, which can be used to help make decisions about its importance and risk of loss:

- **Tasks**: A description of the activities that are involved in carrying out the Responsibility.

- **Associated Knowledge**: What the incumbent needs to know in order to carry out the Responsibility.

- **Associated Relationships**: Types of individuals or organizations the incumbent might need to be in communication with in order to carry out the Responsibility.

Involving the Right Participants in a PICK Session

It is essential to involve incumbents in identifying the critical knowledge associated with their positions, particularly with respect to the importance dimension. Other participants – for example HR professionals – might offer an additional perspective on risk of loss.

An additional approach is to ask several incumbents to complete the tool and then average the results. However, averaging tends to mask differences and disagreements that are better surfaced. Therefore the recommended approach is facilitated discussion that moves the group towards agreement.

Because the PICK Tool accepts only one importance and risk number for each Responsibility, position incumbents will need to agree on the importance and risk of loss for the Responsibilities in the Knowledge Profiles. The best way to reach agreement is through a facilitated approach. This ensures a common understanding of what each Responsibility means and why it is important or at risk.

PICK sessions should be conducted by skilled facilitators who have some experience with consensus building, since agreement needs to be reached. Representatives within the AOC (Education or HR) are the best candidates for this role, at least initially. Responsibility for conducting PICK sessions can be transferred to local trained facilitators once they become comfortable with the tool.

It is also important to decide at what level (court, branch, or somewhere in between) the tool should be completed. In deciding this question, keep in mind that the more parties are involved, the more difficult it will be to reach consensus. In addition, while Knowledge Profiles should be generic enough to cover most of the Responsibilities position incumbents across the entire branch would encounter, the way these Responsibilities are scored will probably be specific to a court. For example, Responsibilities that entail building community programs may be more important in one court than another.

In general, risk of loss will also be court specific, but branch trends could also be identified. And, eventually if courts choose to cluster for purposes of sharing resources and labor pools, or employees move from one court to another, risk of loss should be considered from the perspective of the entire cluster's employee pool.

How Results Can Be Used

At the level of the individual courts, the results of the PICK Tool can be used to direct staffing, development, training, and knowledge transfer efforts. At the branch level, understanding the variance across the courts will be extremely helpful, especially as the branch moves towards standardization and cross-branch hiring (for example, there may be opportunities to bolster high-risk knowledge areas by moving incumbents from courts where risk of loss is lower).

The results will also allow the AOC to pay particular attention to Responsibilities where there is consensus across multiple courts or the branch regarding high importance and risk of loss: these are clear areas of focus for curriculum planning and development of other centralized resources.

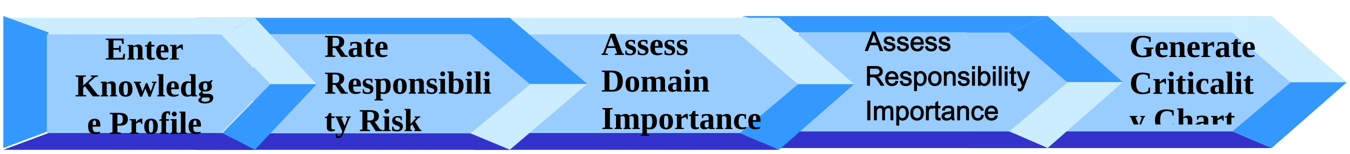
Instructions for Using the Tool

Before using the PICK software to identify critical knowledge for a particular position, be sure to rename the file after you open it, preferably using both the position and individual court name.

When you first open the tool, click on the <Enable Macros> button inside the dialog box. The tool opens to a Welcome Page, which reviews the process steps and directs you to click on the PICK Process tab.

The opening screen of the PICK Process is Step 1 – Enter Knowledge Profile. The buttons arrayed along the bottom of the screen allow you to move from step to step and back again. You do not need to click on the first button in order to enter your profile, but if you wish to return to the initial profile later in the process, you need to click on the <Enter Knowledge Profile> button.

The steps of the PICK process are depicted below:



Step 1: Enter Knowledge Profile

*Step 1 should be completed **before** assembling the group of participants to go through the assessment.*

The process begins with a Knowledge Profile that has already been developed. Do not attempt to develop a Knowledge Profile in the same session in which you complete the PICK assessment, because the process will take too long. For more information on how to develop a Knowledge Profile see the previous section of the *Handbook* titled "Guide to Creating Position Profiles."

The tool will open with the cursor on the position title cell. Fill in the name of the position for which the assessment is being done.

Enter Knowledge Domains

Knowledge Domains are entered into Column A by typing the name and number of the Domain **over** the words "Domain 1," Domain 2," etc. The maximum number of Domains that can be entered for any position is 10.

Be sure to type "NOT USED" in Column B of each Domain you are not using.

If you are using fewer than 10 Domains, enter the EXACT words "NOT USED" (all caps) in Column B of each Domain you are not using. This will ensure that the line does not appear during the assessment. It also means the tool will ignore whatever has been entered in Column A. *Exhibit 1 in Appendix II-A shows a blank Knowledge Profile template in the PICK Tool.*

Enter Responsibilities

Each Responsibility within a Knowledge Domain carries the number of that Domain, followed by a number for the Responsibility. For example, the rows representing the Responsibilities under Knowledge Domain 1 are numbered 1.1, 1.2, 1.3…1.10. The rows under the second Knowledge Domain are numbered 2.1, 2.2, 2.3… 2.10, and so forth.

The name of the Responsibility is entered into Column B. The default entry for a Responsibility is "NOT USED." To override the default, type the name of the Responsibility over "NOT USED" in Column B. This will ensure that the tool recognizes the Responsibility and that it will appear during the assessment. *Exhibit 2 in Appendix II-A shows a sample completed Knowledge Profile template in the PICK Tool for the CEO position.*

Enter Tasks and Other Information

Once you have established the Knowledge Domains and Responsibilities for a particular position, you should transfer them to the Knowledge Profile template in the tool and continue to identify Tasks, Associated Knowledge, Associated Relationships, and whatever other information you choose to include. It is easier to input this information directly into the tool than to transfer it later.

Under each Responsibility there is a blank row. Additional information should be filled in as follows:

- Type Tasks into Column C. To avoid confusion, use a forward slash (/) to separate each Task. For example:
  - Identify community needs/ Provide avenues for community to voice concerns/ Implement initiatives to better meet community needs
- Type Associated Knowledge into Column D.
- Type Associated Relationships into Column E.
- Type additional information into subsequent columns. For example, if you created a section titled "Associated Education Courses," type these into Column F. For all columns after Column E you will have to label the column with the name of the category you have created.

Customize Questions (Optional)

Steps 2–4 require incumbents to provide risk and importance numbers in response to a question. The tool is set up with the following *default* questions:

- Step 2: *How high is the risk of losing the knowledge associated with this Responsibility and the ability to apply that knowledge if people (or the person) in this position were to exit this organization today?*
- Step 3: *How important is it for an incumbent to master this Domain in order to be successful in this position?*
- Step 4: *How important is it to meet this Responsibility in order to master this Domain?*

If you wish, you can *change* the default questions. For example, you may wish to alter the time frame, asking incumbents about risk of knowledge loss 2–3 years from now. Or, you may wish to refer to people leaving the branch or a cluster of courts rather than to leaving a single court.

If you alter a factor (for example a time frame) in one question, you should do so for all of the questions; otherwise the results will be inconsistent.

To change the default questions, click on the button for Step 2, highlight the question, and type in the change; click on the button for Step 3, and repeat; click on the button for Step 4, and repeat. Return to where you started by clicking on the Step 1 button.

The PICK Session (Steps 2–5)

Steps 2–5 are completed once the participants have been assembled. Because the tool requires the group to reach agreement on each score, the entire process should be facilitated by a skilled professional. An ideal size for a PICK session is anywhere between 3 and 10 participants.

Before the session, provide participants with the Knowledge profiles in a nicely formatted table. This will enable them to study the profiles and become familiar with the components in advance. Participants can also refer to the handouts during the session itself, making the scoring process easier.

*It is important to validate each Knowledge Profile with incumbents **before** conducting an assessment.*

In addition to a facilitator, it is useful to include an individual who is responsible for taking notes. This way, as people discuss their rationale for assigning particular scores, you will have a record of what they said should you wish to go back and reevaluate.

As you move the team through the scoring process, a good way to maintain a reasonable pace is to conduct a “round robin” in which participants take turns proposing a score and providing a rationale. The larger group can then either agree or present their reasons for adjusting the score.

For Steps 2–4, the “Setting the Stage” sections outline material the facilitator should review with participants, while “The Process” walks users through the details of scoring and data input.

Step 2: Rate Responsibility Risk

Setting the Stage

Although the process for completing the tool is sequential, you may move back and forth between steps should you wish to make changes.

The courts will be losing important knowledge as a result of impending retirements. This knowledge loss will affect the ability of those remaining to fulfill their duties. However, just the departure of incumbents doesn't mean the knowledge itself will be lost. Various factors impact knowledge loss. Specifically, risk of loss will *increase* if the knowledge is:

- Not well-documented
- Not taught in any training programs
- Confined to a single role
- Not easily transferable
- Learned over a long period of time

Participants will need to consider all of these factors in determining the risk of loss.

The Process

The tool uses a rating scale of 1 to 7, with 1 being the lowest risk and 7 being the highest. Risk of loss is determined at the level of the Responsibility.

To move participants through this step you need to:

- Click on the <Rate Responsibility Risk> button.
- Ask participants to assign a risk of loss score to each of the Responsibility areas in response to the following question:
  - *How high is the risk of losing the knowledge associated with this Responsibility and the ability to apply that knowledge if people (or the person) in this position were to exit this organization today?*
- When the group agrees on a risk rating, type the number in the shaded box under the column entitled "Risk Rating."
- Enter ratings for all Responsibilities before moving on to the next step.

If you are using this default question, be sure to point out to participants that their answer to the question should not be contingent on when they or others are planning to leave the organization, but on the hypothetical situation that they would leave today.

Exhibit 3 in Appendix II-A shows the screen in the PICK Tool where Responsibility ratings are entered.

Step 3: Assess Domain Importance

Setting the Stage

Unlike risk of loss, determining importance requires participants to consider Domains and Responsibilities with respect to one another. Implicit in this process is the idea of *tradeoffs*. That is, some Domains and Responsibilities are more important to success of a position than others.

Because it is too difficult for people to consider a set of 30 or more Responsibilities simultaneously, determining importance is divided into two steps. In the first step, participants are asked to determine the importance of the Knowledge Domains. They then consider importance of the Responsibilities within each Knowledge Domain.

In order to encourage the idea of tradeoffs, determining importance takes a different approach from determining risk of loss: rather than using ratings, participants are asked to allocate 100 points across Domains and Responsibilities.

In determining the Domain weights, encourage the group to make as many distinctions as possible. For example, if they allocate 20 points to each of 3 Domains, ask them to adjust their allocations so that each Domain receives a different number of points. This not only reinforces the idea of tradeoffs, but it will help spread the final results on the Criticality Chart.

Because the distributed points represent percentages, it may help participants to think of their responses this way: If Domain A receives 15 points, this can be interpreted as meaning15% of an individual's success in this position can be attributed to his or her ability to master Domain A.

The Process

To complete this step you:

- Click on the <Assess Domain Importance> button.
- Ask participants to distribute **100 points** across the Knowledge Domains (with each Domain receiving at least 1 point) in response to the following question:
    - *How important is it for an incumbent to master this Domain in order to be successful in this position?*
- Enter the points in the shaded boxes in the column entitled "Domain Importance Scores." The tool will alert you if the points do not sum to 100.

Exhibit 4 in Appendix II-A shows the screen in the PICK Tool where Domain importance points are allocated.

Step 4: Assess Responsibility Importance

Setting the Stage

The group is now ready to focus on each Knowledge Domain individually and to determine the importance of the Responsibilities within it. During this portion of the process participants will be asked to think about the Responsibilities in relation to the Domains.

The Process

To complete this step:

- Click on the <Assess Responsibility Importance> button.
- Ask incumbents distribute **100 points** (with each Responsibility receiving at least 1 point) across the Responsibilities within this Domain in response to the following question:
  - *How important is it to meet this Responsibility in order to master this Domain?*
- Enter the points in the shaded boxes in the column entitled "Responsibility Importance Scores." The tool will alert you if the points do not sum to 100.
- Repeat this process for all Domains.

Exhibit 5 in Appendix II-A shows the screen in the PICK Tool where Responsibility importance points are allocated.

As with the Knowledge Domains, it might help to explain that the distributed points are percentages. Thus, if Responsibility C within Domain A receives an allocation of 20 points, this can be interpreted as meaning 20% of an individual's ability to master Domain A is incumbent on meeting Responsibility C.

Step 5: Generate Chart and Interpret Scores

The group has now completed the entire process. To display the results of the assessment, click the <Generate Criticality Chart> button. The Criticality Chart shows all of the Responsibilities on a Risk x Importance matrix. (Note that the tool has converted the Importance scores to ratings so that they are in the same format as the risk scores. For detailed information on how this conversion is calculated, see Appendix 2-B).

Each point on the chart represents a specific Responsibility and is shown as a whole number (pertaining to the Domain) followed by a decimal (pertaining to the Responsibility within that Domain)--for example 2.3. The Knowledge Profile can be used to match the numbers to the Responsibilities they represent. If the group has given similar risk and importance scores to a large number of Responsibilities then the resulting chart will show numerous Responsibilities clustered around single points. Some of the numbers may even overlap. You can move the number labels associated with a particular point manually so that they can be better viewed.

You may find that many of the importance scores are skewed to the left, indicating a large number of Responsibilities of relatively low importance. The reason for this is that the group has probably given a very high weight to a particular Responsibility (by allocating a high number of points to both the Domain and the Responsibility within the Domain), forcing all the other Responsibilities to comparatively low numbers on the 1 to 7 scale. To confirm that this is the case, look at the importance weights in the Chart Data.

To get a better understanding of how each Responsibility has been scored, click on the Chart Data tab. The table in this section presents the Responsibilities sorted in order of importance. The columns of the Chart Data table are as follows:

Column	Column Name	Description
Column A:	Responsibility number	Corresponds to the number on both the Knowledge Profile and the Criticality Chart.
Column B:	Responsibility Name	Corresponds to the Knowledge Profile.
Column C:	Importance Rating	A number between 1 and 7, which the Responsibility is assigned based on the importance weight. There is at least one Responsibility with a rating of 1 and at least one with a rating of 7. See Appendix II-B for more information on how this rating is calculated.
Column D:	Risk Rating	The number from 1 to 7 that the group assigned the Responsibility during the session.
Column E:	Importance Weight	The Domain weight multiplied by the Responsibility weight. The Responsibilities appear in descending order based on the values in this column.
Column F:	Cumulative Importance Weight	The sum of the Responsibility weight in this row plus the weights from all the previous rows. All of the Responsibilities added together sum to 1. They can also be converted to percentages, in which case they will sum to 100.

If the group feels that any of the results are clearly incorrect, the tool allows you to go back and make adjustments. This can be done by clicking on any of the buttons for Steps 2–4.

Even if the results feel correct, you may wish to get a better understanding of what the spread between different Responsibilities would be if the most heavily weighted Domain were removed. This can be done as follows:

- Click on the <Enter Knowledge Profile> button.
- Type "NOT USED" in Column B of the Domain you wish to remove temporarily.
- Click on the <Assess Domain Importance> button.
- Ask the group to reallocate 100 points among the remaining Domains.
- Click on the <Generate Criticality Chart> button and view the new set of results.

The Interpretation Guide on the next page explains what each quadrant in the matrix means and suggests actions for each. This information is also available in the tool itself and can be accessed by clicking on the Interpretation tab.

If you choose to go through this reallocation process, either save the file under a different name or jot down, the original Domain weights so that you can re-input them when you wish to restore the original heavily weighted Domain. To restore a Domain, simply return to Enter Knowledge Profile and delete the "NOT USED" label next to the Domain name.

Interpretation Guidelines for Criticality Chart

Each Responsibility is positioned on a two-by-two matrix showing how the group has scored it in terms of both risk of loss and importance. Each of the quadrants in Figure 1 suggests a different set of recommended actions. Figure 2 shows a sample Criticality Chart in the PICK Tool.

Figure 1: Criticality Chart Interpretation Guide

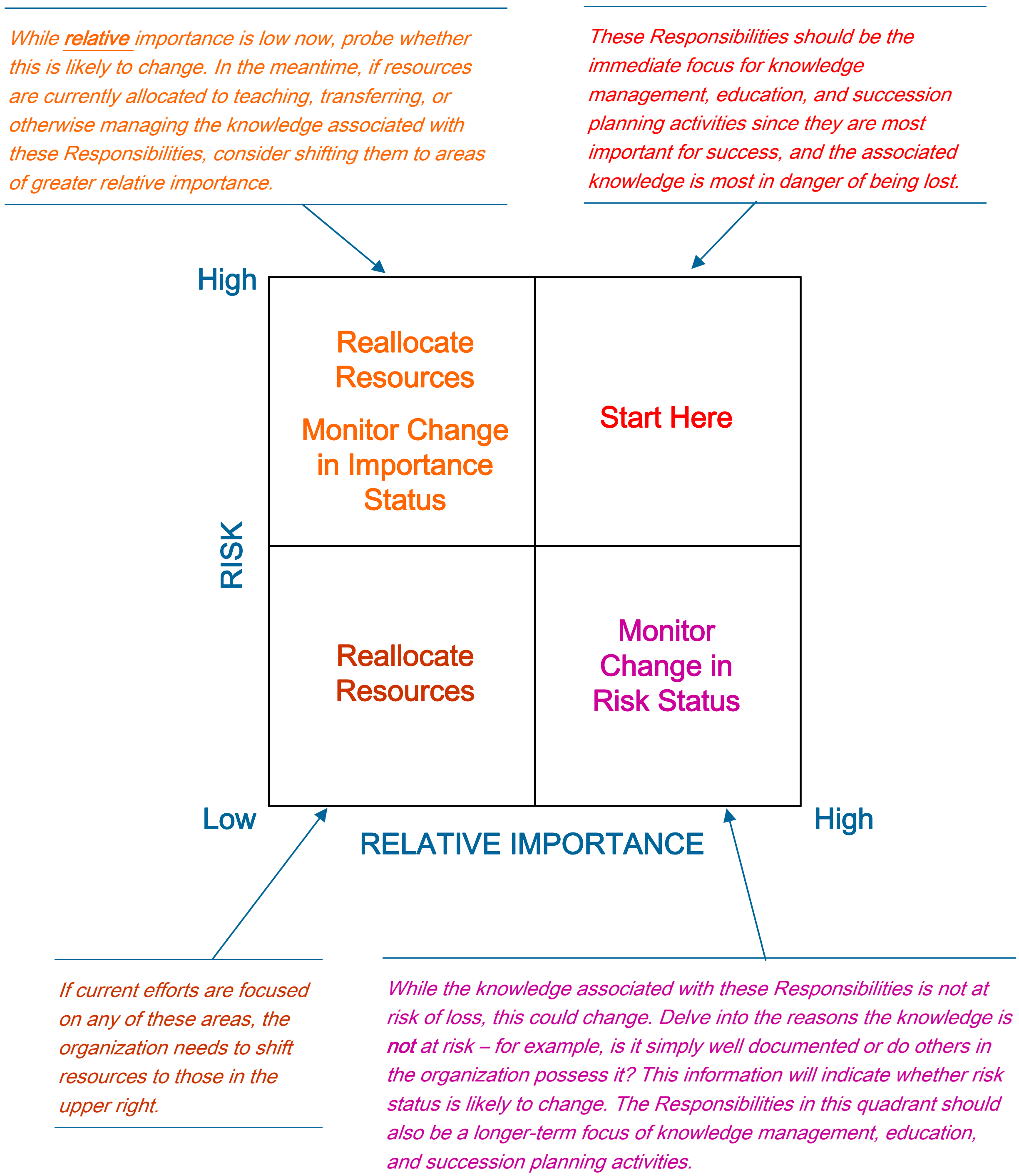
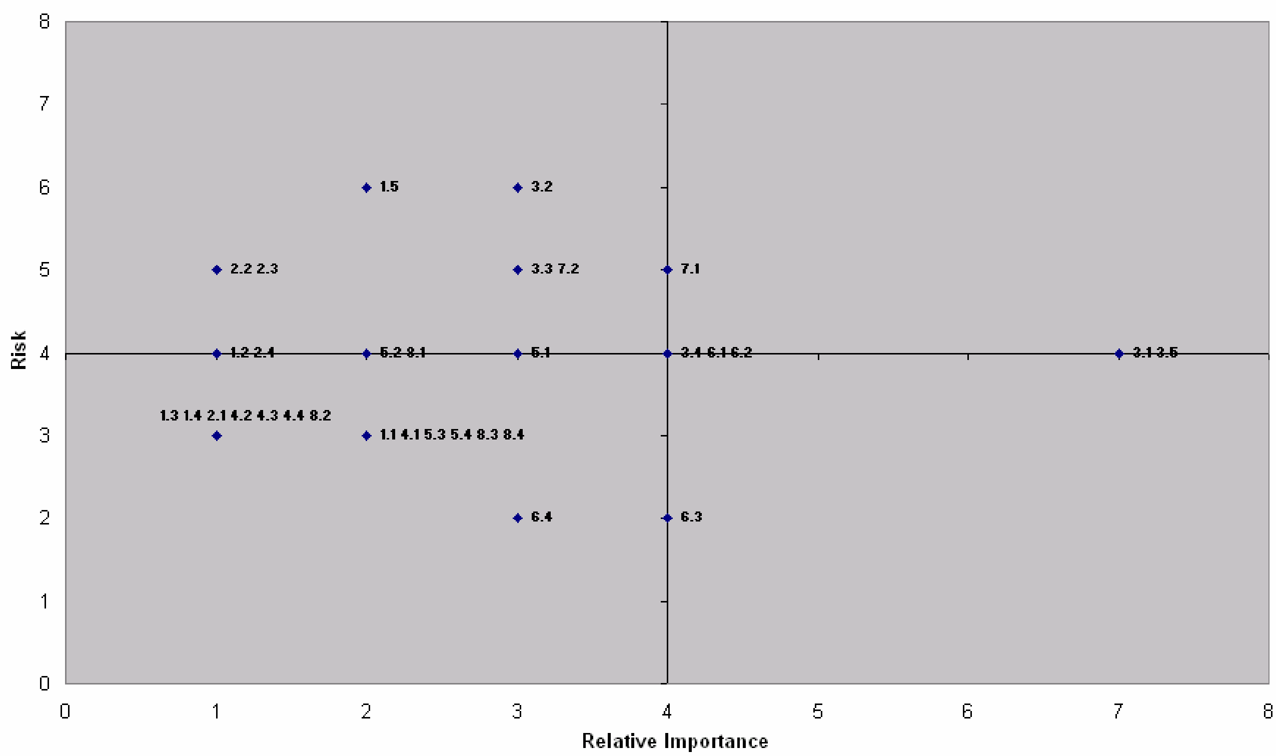


Figure 2: Sample Criticality Chart in the PICK Tool



You may find very few Responsibilities in the upper right quadrant, primarily because the group has weighted one Responsibility very heavily, forcing the rest to one of the left-hand quadrants. In such cases, being slavish to the idea of "quadrants" may not make sense. For example, you may wish to shift your attention to any Responsibilities that lie to the right of the 3 coordinate on the relative importance axis. Refer to the importance weights in the Chart Data to identify the rank importance order of the Responsibilities.

APPENDIX II-A: SAMPLE SCREENS

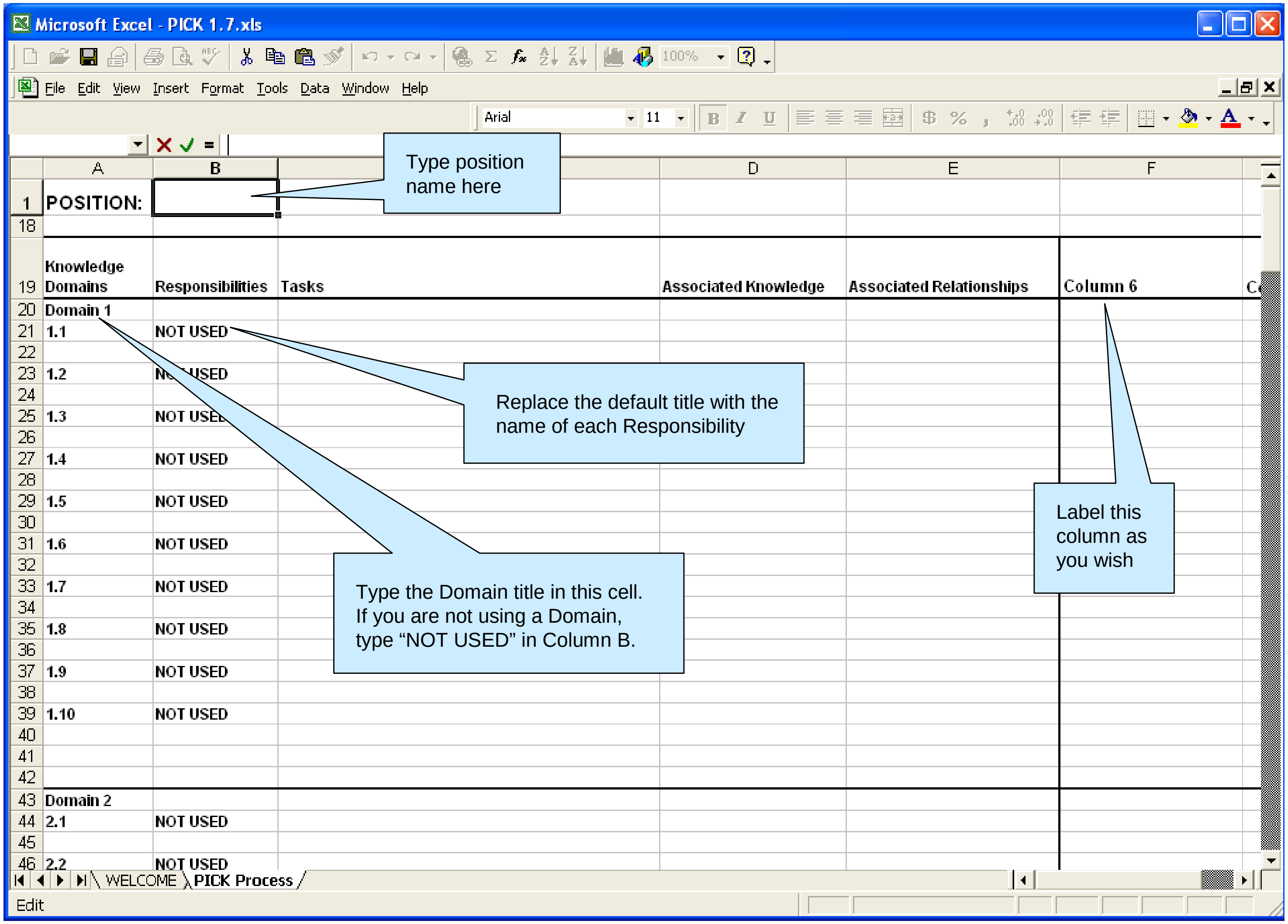
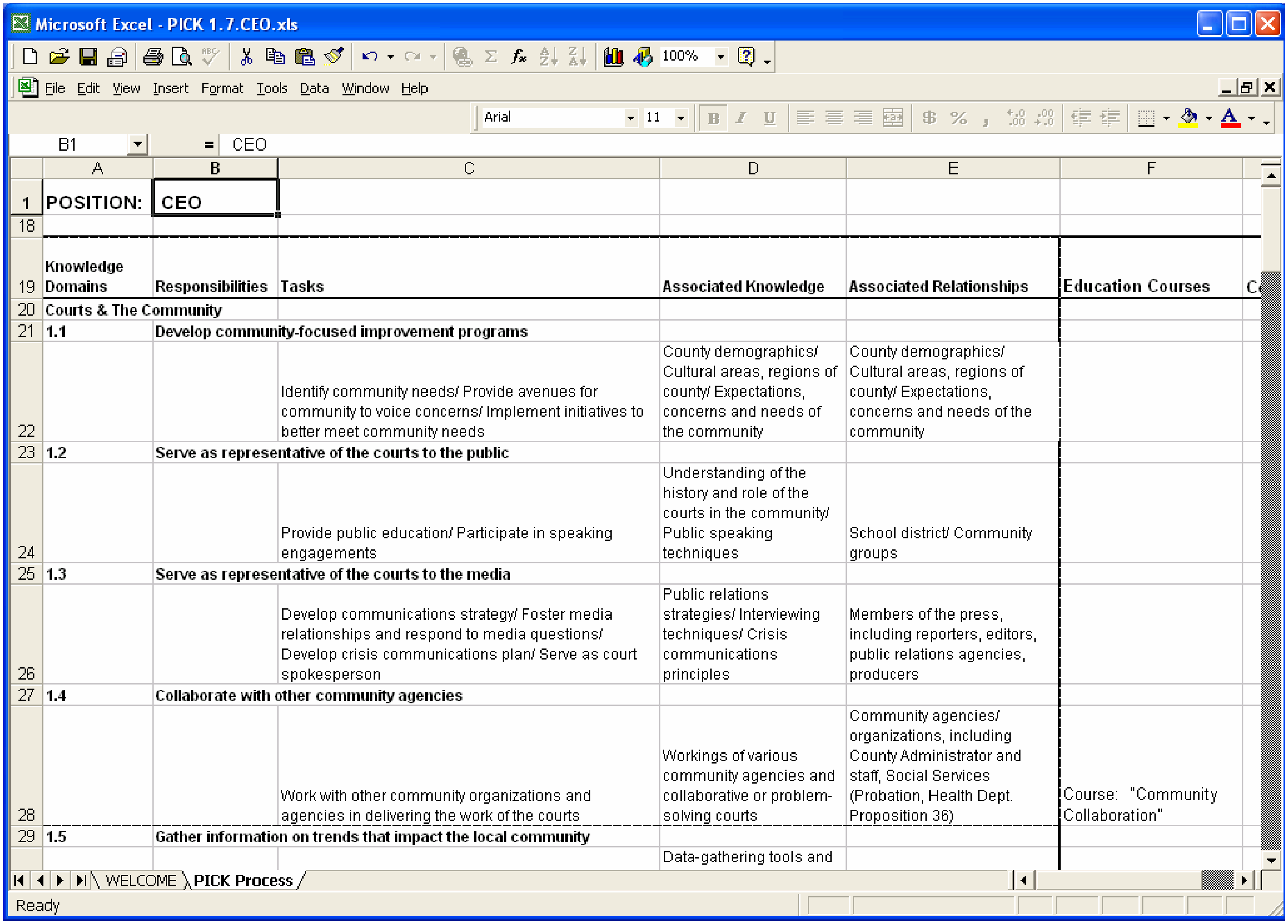
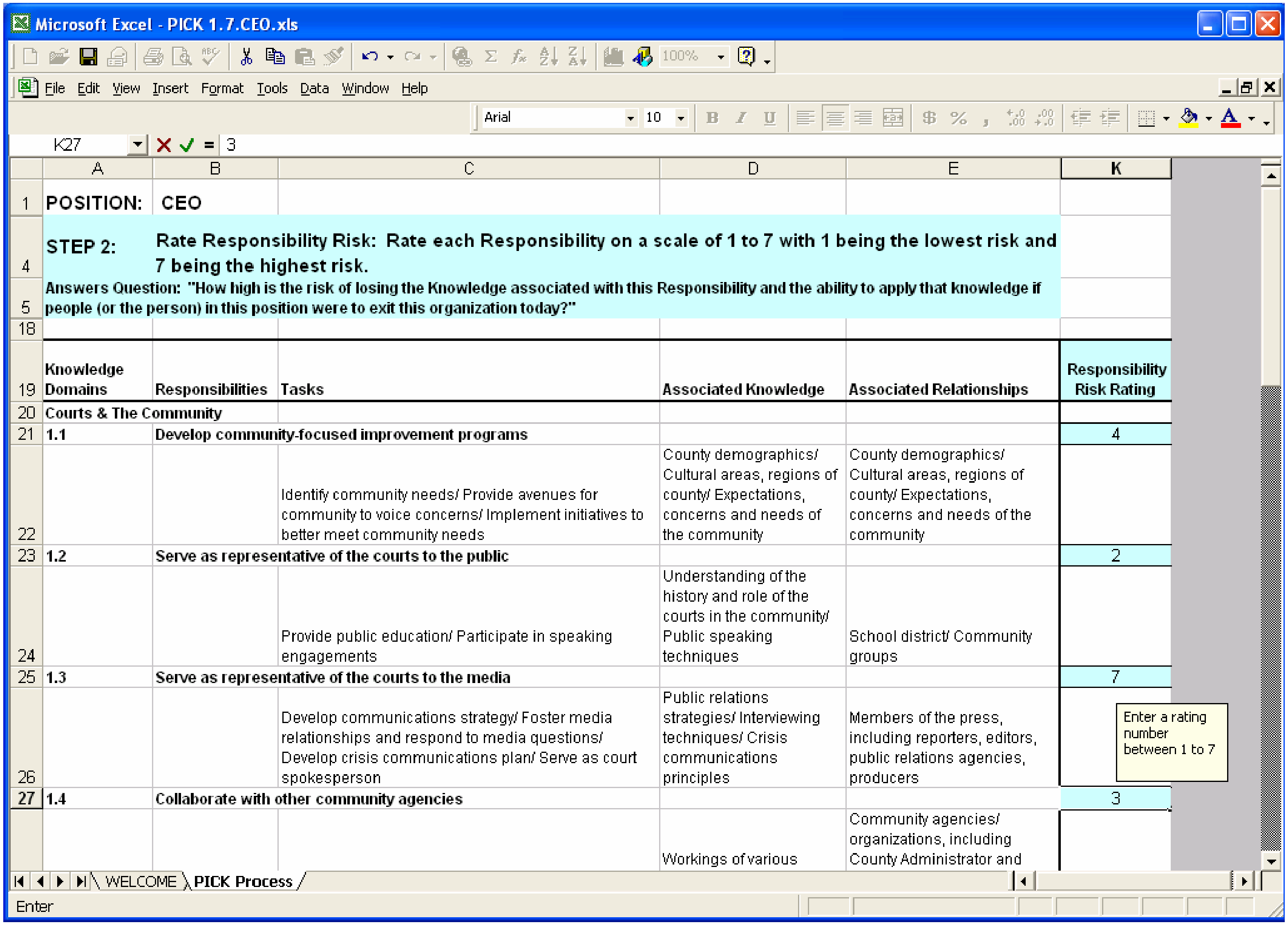


Exhibit 1: Blank Knowledge Profile in the PICK Tool



	A	B	C	D	E	F
1	POSITION:	CEO				
18						
19	Knowledge Domains	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Education Courses
20	Courts & The Community					
21	1.1	Develop community-focused improvement programs				
22			Identify community needs/ Provide avenues for community to voice concerns/ Implement initiatives to better meet community needs	County demographics/ Cultural areas, regions of county/ Expectations, concerns and needs of the community	County demographics/ Cultural areas, regions of county/ Expectations, concerns and needs of the community	
23	1.2	Serve as representative of the courts to the public				
24			Provide public education/ Participate in speaking engagements	Understanding of the history and role of the courts in the community/ Public speaking techniques	School district/ Community groups	
25	1.3	Serve as representative of the courts to the media				
26			Develop communications strategy/ Foster media relationships and respond to media questions/ Develop crisis communications plan/ Serve as court spokesperson	Public relations strategies/ Interviewing techniques/ Crisis communications principles	Members of the press, including reporters, editors, public relations agencies, producers	
27	1.4	Collaborate with other community agencies				
28			Work with other community organizations and agencies in delivering the work of the courts	Workings of various community agencies and collaborative or problem-solving courts	Community agencies/ organizations, including County Administrator and staff, Social Services (Probation, Health Dept. Proposition 36)	Course: "Community Collaboration"
29	1.5	Gather information on trends that impact the local community				
				Data-gathering tools and		

Exhibit 2: Sample completed Knowledge Profile in the PICK Tool for the CEO position



Microsoft Excel - PICK 1.7.CEO.xls

	A	B	C	D	E	K
1	POSITION:	CEO				
4	STEP 2:	Rate Responsibility Risk: Rate each Responsibility on a scale of 1 to 7 with 1 being the lowest risk and 7 being the highest risk.				
5	Answers Question: "How high is the risk of losing the Knowledge associated with this Responsibility and the ability to apply that knowledge if people (or the person) in this position were to exit this organization today?"					
18						
19	Knowledge Domains	Responsibilities	Tasks	Associated Knowledge	Associated Relationships	Responsibility Risk Rating
20	Courts & The Community					
21	1.1	Develop community-focused improvement programs				4
22			Identify community needs/ Provide avenues for community to voice concerns/ Implement initiatives to better meet community needs	County demographics/ Cultural areas, regions of county/ Expectations, concerns and needs of the community	County demographics/ Cultural areas, regions of county/ Expectations, concerns and needs of the community	
23	1.2	Serve as representative of the courts to the public				2
24			Provide public education/ Participate in speaking engagements	Understanding of the history and role of the courts in the community/ Public speaking techniques	School district/ Community groups	
25	1.3	Serve as representative of the courts to the media				7
26			Develop communications strategy/ Foster media relationships and respond to media questions/ Develop crisis communications plan/ Serve as court spokesperson	Public relations strategies/ Interviewing techniques/ Crisis communications principles	Members of the press, including reporters, editors, public relations agencies, producers	Enter a rating number between 1 to 7
27	1.4	Collaborate with other community agencies				3
				Workings of various	Community agencies/ organizations, including County Administrator and	

Exhibit 3: Screen in the PICK Tool showing where Responsibility ratings are entered

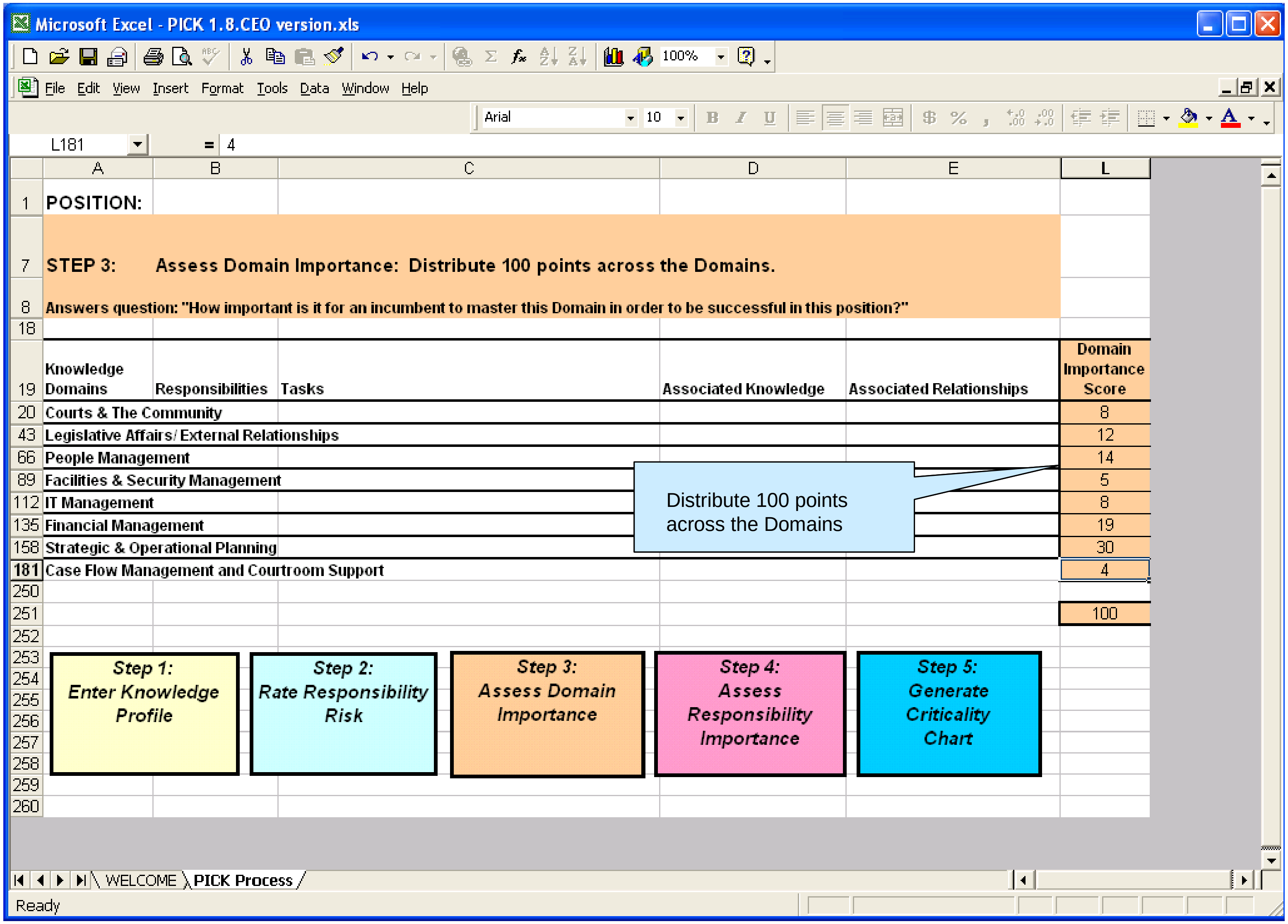
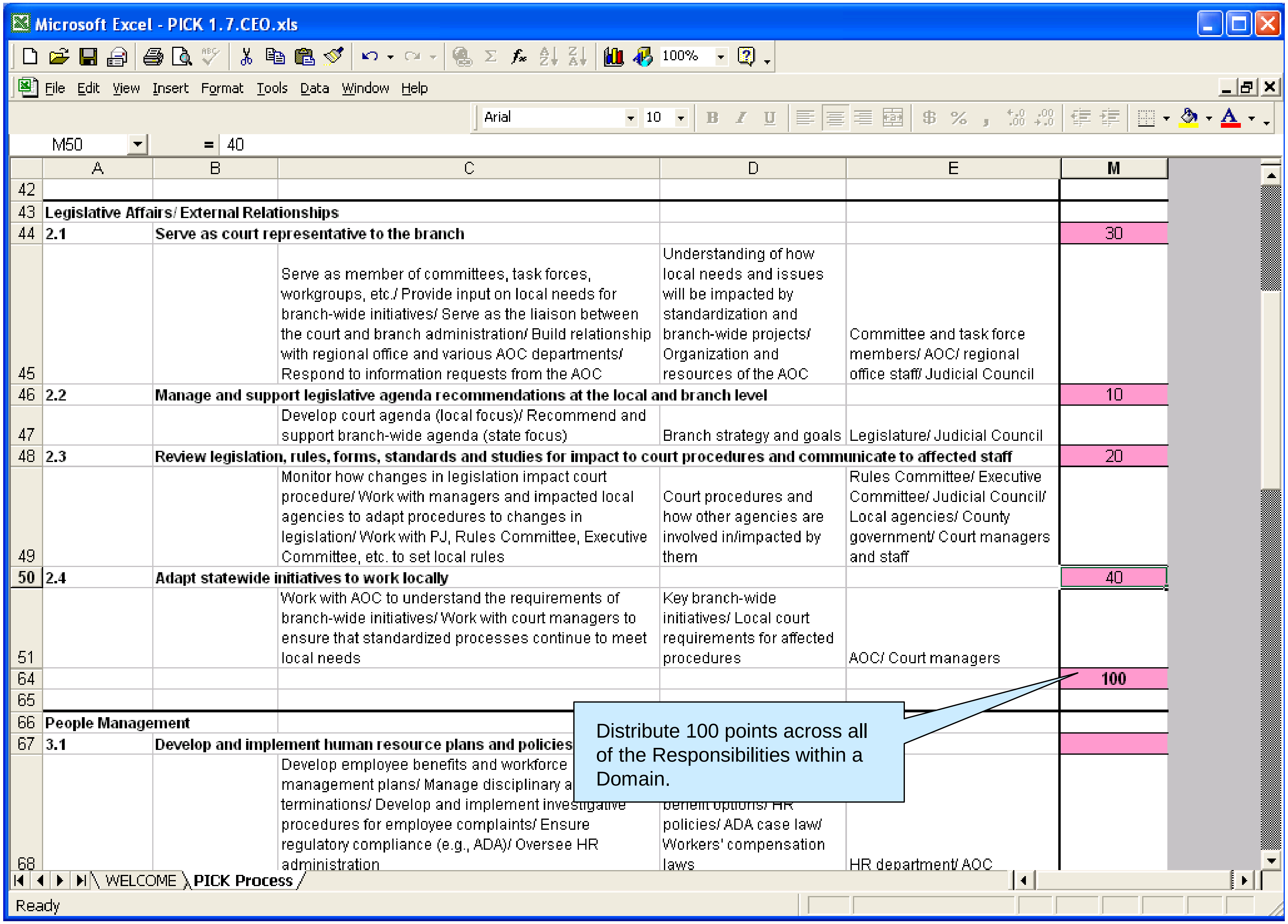


Exhibit 4: Screen in the PICK Tool showing where Domain importance points are allocated



	A	B	C	D	E	M
42						
43	**Legislative Affairs/ External Relationships**					
44	**2.1**	**Serve as court representative to the branch**				30
45			Serve as member of committees, task forces, workgroups, etc./ Provide input on local needs for branch-wide initiatives/ Serve as the liaison between the court and branch administration/ Build relationship with regional office and various AOC departments/ Respond to information requests from the AOC	Understanding of how local needs and issues will be impacted by standardization and branch-wide projects/ Organization and resources of the AOC	Committee and task force members/ AOC/ regional office staff/ Judicial Council	
46	**2.2**	**Manage and support legislative agenda recommendations at the local and branch level**				10
47			Develop court agenda (local focus)/ Recommend and support branch-wide agenda (state focus)	Branch strategy and goals	Legislature/ Judicial Council	
48	**2.3**	**Review legislation, rules, forms, standards and studies for impact to court procedures and communicate to affected staff**				20
49			Monitor how changes in legislation impact court procedure/ Work with managers and impacted local agencies to adapt procedures to changes in legislation/ Work with PJ, Rules Committee, Executive Committee, etc. to set local rules	Court procedures and how other agencies are involved in/impacted by them	Rules Committee/ Executive Committee/ Judicial Council/ Local agencies/ County government/ Court managers and staff	
50	**2.4**	**Adapt statewide initiatives to work locally**				40
51			Work with AOC to understand the requirements of branch-wide initiatives/ Work with court managers to ensure that standardized processes continue to meet local needs	Key branch-wide initiatives/ Local court requirements for affected procedures	AOC/ Court managers	
64						**100**
65						
66	**People Management**					
67	**3.1**	**Develop and implement human resource plans and policies**				
68			Develop employee benefits and workforce management plans/ Manage disciplinary a[...] terminations/ Develop and implement investigative procedures for employee complaints/ Ensure regulatory compliance (e.g., ADA)/ Oversee HR administration	[...] benefit options/ HR policies/ ADA case law/ Workers' compensation laws	HR department/ AOC	

Exhibit 5: Screen in the PICK Tool showing where Responsibility importance points are allocated

APPENDIX II-B: COMPUTATION USED TO PLOT A RESPONSIBILITY ON THE CRITICALITY CHART

Risk (Y-axis):

The actual risk rating (on a scale of 1 through 7) entered into the spreadsheet determines the y-coordinate for each Responsibility.

Importance (X-axis):

The x-coordinate for each Responsibility is computed automatically by the tool using the following approach:

- The score assigned to the Knowledge Domain (ranges from 1 to 100 points) in which a Responsibility falls is multiplied by the score (ranges from 1 to 100) for that particular Responsibility to obtain a weighted score.
- For example, if Knowledge Domain 1 has a Domain score of 10 points and Responsibility 1.1 has been assigned a score of 20 points, the total weighted score is computed as 200 points (or, if taken as a percentage across all Responsibilities for that position, as 6% of the total weight).
- The range (i.e., the maximum – the minimum) of weighted scores across all Responsibilities is then computed. For example, if the maximum weighted score for all Responsibilities is 450 and the minimum is 100, the range is 350.
- This range is then broken down into 7 equal and mutually exclusive intervals, calculated as:

  (maximum weighted score – minimum weighted score)/7

  Continuing the example above, dividing 350 by 7 will give us 7 intervals with an interval width of 50. Each interval is then associated with an appropriate rating on a rating scale from 1 through 7.

Interval	Equivalent Rating
100–150	1
151–200	2
201–250	3
251–300	4
301–350	5
351–400	6
401–450	7

- The appropriate rating is assigned to each Responsibility based on the interval in which its weighted score falls. For example, a Responsibility with a weighted score of 200 points will be assigned a rating of 2. This rating forms the x-coordinate of that Responsibility on the Criticality Chart.

III. Knowledge Transfer Strategies

How to Use This Document

Knowledge transfer is central to organizational sustainability. It occurs unaided in organizations all the time. But the need for formal knowledge transfer strategies stands out when an exodus of skilled workers is imminent. The following section of the *Handbook* provides an overview of knowledge transfer and some high-level level guidelines for matching transfer approach to knowledge type.

This document is designed as a reference for managers, court leaders, and HR professionals who are responsible for structuring workforce management and development activities. The guidelines presented will help them ensure that these activities are designed to promote the flow of positional knowledge from more experienced to less experienced individuals.

While this section can be used as a standalone reference, it does assume that the organization has already identified the critical positional knowledge that requires transferring. The steps leading up to deciding what to transfer are covered in the first two sections of the *Knowledge Management Handbook*. They are:

- Articulating the knowledge needed for success in a particular position (described in the section titled "Guide to Creating Knowledge Profiles").
- Identifying which aspects of that knowledge are critical (described in the section titled "PICK™ Users Guide"; PICK is a software tool that the courts can use to identify critical positional knowledge).

What Is Knowledge Transfer?

Knowledge transfer is the means by which an understanding of how an organization's tasks are accomplished is passed from individual to individual, group to group, or any combination of the two.

__Knowledge transfer__ is a core organizational strategy, which ensures that knowledge specific to an individual or group of individuals remains an institutional asset even when these people leave the organization.

Information versus knowledge

Many organizations get unnecessarily hung up on making a distinction between information and knowledge. Strictly speaking, information is a piece of "intellectual capital" that can be written down or codified. It is entirely explicit. Information can be fairly easily transferred to new people.

When we talk about knowledge transfer, on the other hand, we usually mean that there is some aspect that is less easy to codify – for example the use of judgment in determining how to act. In some cases knowledge may be almost entirely tacit. In other words, it can't even be articulated, meaning it also can't be written down. A commonly used example of tacit knowledge is the ability to play a violin at a virtuoso level. To play the violin at that level requires more than just knowledge of the music or technical performance skills. An example within the courts might be the ability of a CEO to "sense" the best way to manage an especially explosive union negotiation or to navigate through a tricky political situation.

Most of what organizations wish to transfer and retain lies somewhere along a continuum between explicit and tacit. The trick is in recognizing this and adapting transfer techniques accordingly.

Transfer of individual knowledge vs. transfer of best practices

The focus of this guide is the transfer of positional knowledge from exiting employees to those taking their place. However, the transfer of other forms of knowledge is also important, because not all knowledge in organizations can be linked to specific positions. For example, a great deal of knowledge in organizations is embedded in processes and practices. It does not leave when people do, because it has already been institutionalized to the extent that the processes are documented and/or consistently practiced. It is also important to remember that these processes and practices are often continually refined by particular groups – for example by a specific court. It is important to share such process improvements across the enterprise. This is often referred to as the sharing of "best practices." Detailed strategies for the most effective transfer of best practices is outside the scope of this document. However, it does need to be a focus of the knowledge management activities of the branch.

Positional knowledge *refers to the knowledge required to execute the duties associated with a particular job or job category.*

Organizational knowledge *is knowledge that remains with the organization when employees leave. Often it is embedded in processes and practices such as courtroom procedures.*

Determining what needs transferring

Let's say 50% of the branch's Court Managers will be retiring within the next five years. Should the organization panic? Should it try to identify and codify everything these incumbents know? Clearly not. The first step to knowledge transfer is to determine where the critical needs are. Critical knowledge must be the focus for knowledge transfer activities.

Critical knowledge *is knowledge that is both highly important and at risk of being lost to the organization.*

The AOC, working with Buck Consultants has developed a customized Excel-based tool for use by the Judicial branch. It is called the PICK (Plotting Incumbent Critical Knowledge) Tool. It allows the branch to identify the critical knowledge associated with a particular position. For more information on the process for identifying critical knowledge, see the "PICK™ Users Guide."

Knowledge sources

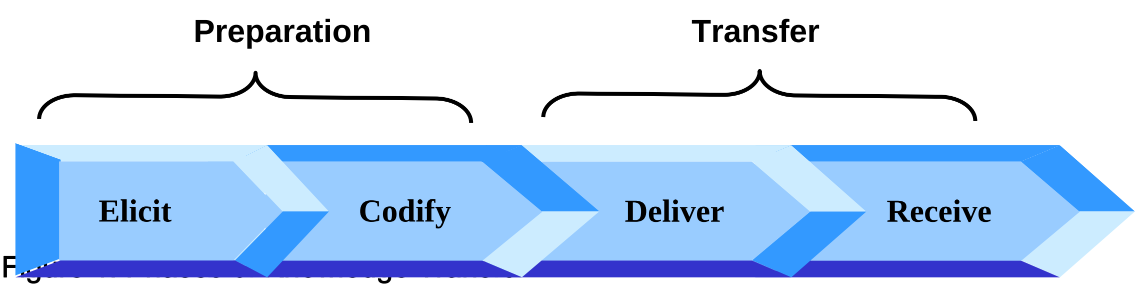
Another consideration when developing knowledge transfer activities is the source of critical knowledge. If the source for this knowledge is an individual, is this person an expert? Do people regularly go to him or her for information and advice in this area? Is the person a high performer? It is important to determine who is the best source for the positional knowledge you have identified.

Other factors are the overall "mind set" and communication skills of the knowledge source. Employees who, for whatever reason, are either not motivated or unable to effectively share knowledge are a poor source for knowledge transfer, regardless of their level of expertise. Be aware that sometimes there can be a certain amount of power, prestige, or other incentive in being the only person that holds critical knowledge; effective facilitation of knowledge transfer requires that we look at all of the personal and organizational factors involved.

Ideally, knowledge transfer activities should be set in motion before a wave of retiring incumbents takes place. It is not difficult to identify which positions are most at risk by using readily available workforce data, such as age and years of service information, and also by comparing current salary to the level of retirement benefits for which an employee is eligible. Regular surveying of position incumbents to gauge their retirement intentions may also be possible. It is especially important to have accurate retirement information, because current government hiring rules sometimes prevent contracting with retired employees, even as consultants. This leaves few options for knowledge transfer "after the horse is out of the barn."

TYPES OF KNOWLEDGE AND APPROACHES TO TRANSFER

The phases of knowledge transfer are illustrated in Figure 1. Strictly speaking, "Elicit" and "Codify" are preparation activities, while "Deliver" and "Receive" form the core of the actual transfer.



- *Preparation*: In order for transfer to take place, the knowledge that a particular individual possesses must be made accessible to recipients. Strategies, including interviewing, facilitated discussions, and self-reporting, must be developed to help sources articulate what they know. Once the knowledge is articulated it can be codified. Where it is not possible to elicit knowledge, transfer approaches must be used that do not involve codification. In such cases, there is no Preparation Phase.

__Codified knowledge__ is knowledge that is embodied in some form – a document, a presentation, a course, a video. Codified knowledge can be disseminated in the absence of the original source.

- *Transfer*: Knowledge transfer can take two forms:
  - **Synchronous**: Both the source and the receiver are present at the same time. Knowledge that cannot be articulated and codified needs to be transferred via person-to-person (synchronous) interaction. Example: mentoring a new executive on the political landscape.
  - **Asynchronous**: The original source need not be present with the receiver because the knowledge has been codified. Transfer can take place independent of the original source. Example: using an online help tool such as "courtinfo" or "TROPHY" to follow a procedure or retrieve referral information.

The question of whether a piece of information is received (absorbed) is a separate issue from how it is delivered. Because knowledge absorption is highly dependent on learning styles, competencies, and other factors, it is outside the scope of this document.

Table 1 looks at four types of knowledge and illustrates how each is elicited, embodied (codified), and disseminated, as well as challenges associated with their transfer. The knowledge types are described in more detail below.

Table 1. Knowledge Types and Transfer Approaches

	Explicit Codified	Explicit Uncodified	Tacit Codifiable	Tacit Uncodifiable
Description	What I know I know, and it's been "written down"[1]	What I know I know, and haven't written down	What I don't know I know, but could write down if prompted	What I don't know I know, and is impossible to write down
ACTION: Elicitation Approach	Not needed	Self-reporting Interviews	Interviews Facilitated discussions After action reviews/debriefs	Not possible
Common Form of Embodiment	Policy and procedure manuals Rules of Court Phone directory	Reports Best practices Detailed contact information Interpretation of new legislation Adapted or reengineered procedures	Lessons learned "Rules of thumb"	None

[1] "Written down" refers generically to any means of codification.

	Explicit Codified	Explicit Uncodified	Tacit Codifiable	Tacit Uncodifiable
ACTION: Delivery Approach	Asynchronous: Post and/or Disseminate			Synchronous: Mentoring Job rotation Apprenticeships Teams Communities of Practice
Key Challenges	Making it available to others Making it easy to find Maintaining currency Determining the most appropriate method for dissemination	Getting the source to codify Access to the source for interviews, expert review, etc.	Skilled facilitation that will be able to surface valuable insights and information	Culture that “pays attention” to people development issues on an ongoing basis

1. Explicit codified knowledge

Explicit knowledge that has been codified is the easiest knowledge form to deal with in terms of transfer. Because the knowledge is already embodied in some form, it does not need to be elicited from the source. It can be posted on a website, sent out in an email, taught in a course, or included in a lecture. Some codified knowledge in organizations is not proprietary to specific individuals. Examples in the courts include Rules of Court and other policies and procedures. Maintaining currency and helping people find the right information at the right time are usually the biggest challenges.

If the codified knowledge is specific to an individual, often it exists in documents or computer files that are only available to that person. Making it available others who might benefit is the biggest challenge. Often the challenge is addressed through shared files, databases, intranets, list servs, and distribution lists. However relying solely on individuals as knowledge sources to maintain and disseminate such information rarely works. Resources must be allocated to such knowledge management activities as identifying, cross-referencing, and cataloging important information and making its location known and accessible to those who might need it. A knowledge management tool such as TROPHY, implemented by the San Mateo courts, is an excellent example of how this is done well.

2. Explicit uncodified knowledge

Often when organizations talk about "turning tacit into explicit knowledge," they are really referring to the process of getting people to codify (write down) what they know but haven't shared very widely. For example, good Courtroom Clerks probably know quite a few shortcuts or tips for moving cases through the courts. They may have specific contacts that they use regularly who can help them get things done. Or perhaps a Court Operations Manager and her team know how specific procedures have been adapted for their court but have never written them down.

Turning this knowledge into a form that is more universally available often requires the source to perform the codification him or herself. For example, in the courts, specialists are often called upon to develop courses in their area of expertise. The problem is many of these people are also tasked with a wide range of duties, and setting aside time to codify their knowledge may be very difficult.

The best approach is for organizations to provide support to subject matter experts in codifying their knowledge. Professional technical writers, education professionals, or curriculum development specialists not only reduce the onus on knowledge sources, they also are better equipped to convert experts' knowledge into a form that will be useful to others.

Process reengineering efforts result in codified knowledge that can be used for knowledge transfer. There are also software programs and vendors who specialize in "knowledge harvesting," although the investment required can be significant. Prior to assigning resources to knowledge codification, the branch or the individual court should consider how widely such knowledge needs to be disseminated and the estimated "shelf-life" of the knowledge. For example, if a court is about to completely automate or eliminate a procedure, it may not wish to spend time and money to capture and disseminate the details of the current procedure. Also, since some knowledge may be very local in nature, with limited applicability, it is sometimes more efficient to use workforce development practices, such as mentoring or on-the-job training for knowledge transfer, than it is to go through codification.

3. Tacit codifiable knowledge

Tacit knowledge is often defined as "know how" – an understanding of how to accomplish a task or a process that is so ingrained in the way a person works that the individual is not even aware of what he or she is doing to achieve success. Tacit knowledge is by definition both unelicited and uncodified.

__Tacit knowledge__, often referred to as "know how," is knowledge that is "in peoples' heads." It is both unelicited and uncodified. However, some tacit knowledge __can__ be made explicit (that is, articulated and codified or written down).

But some tacit knowledge *can* be made explicit and codified. For example, how does a supervisor know the best way to schedule workflow on a given day? Years of experience have given her an internal set of general principles which she uses to make judgments. A good facilitator can elicit these internalized principles, either through one-on-one interviews or group discussions with several individuals. Teams of workers may come together to examine a particular work experience and think of how a similar situation can be improved in the future. A set of "lessons learned" can be codified based on these "after-action reviews." In some cases, the very act of engaging in these more reflective discussions results in significant knowledge transfer.

Getting experts to articulate tacit knowledge requires skilled facilitation and interviewing techniques as well as the ability to communicate the knowledge in a form that many people can consume.[2] But it is also important to realize that making this type of knowledge explicit may not be the best way to transfer it.

4. Tacit uncodifiable knowledge

Some tacit knowledge cannot be codified because sources can't articulate how they do things, and facilitators don't even know what questions to ask. While other forms of knowledge go through a Preparation Phase (elicitation and codification) prior to transfer, in the case of this form of knowledge, these activities are not possible. Rather it requires ongoing or multiple contacts between source and recipient, because the latter essentially learns by observation, doing, receiving feedback, and improving.

Organizations ensure the transfer of tacit uncodifiable knowledge through a range of workforce development practices, including apprenticeships, job rotations, mentoring, teaming, and establishing communities of practice.[3] It is particularly important to initiate these transfer mechanisms well before the retirement of experienced employees, so that this face-to-face interaction can take place. However, in some cases this may not be possible – for example, if a court brings in an external candidate after the incumbent has left, or if an internal replacement cannot easily be made available to work with the incumbent before he or she leaves. In this case, the court will need to develop alternate knowledge transfer strategies, such as transfer of knowledge to a third party prior to the incumbent's departure.

*A **community of practice** is a group of people with a common profession who, though they might not work directly with one another, regularly interact and share knowledge about their discipline. Some organizations consciously support this type of interaction in the interest of innovation and knowledge transfer.*

For more information on approaches to preparing employees to replace those who are leaving, see the Judicial branch's *Succession Planning & Management (SP&M) Guide*.

Getting Started

Your first step in developing knowledge transfer strategies is to determine which positions you wish to focus on, and what knowledge is critical to these positions. The Judicial branch's *Succession Planning & Management (SP&M) Guide* will help you select critical positions. The first and second sections of the *Knowledge Management Handbook* ("Guide to Creating Knowledge Profiles" and the "PICK™ Users Guide," respectively) will assist you in describing the knowledge associated with a particular position and determining what knowledge is most critical and needs to be transferred.

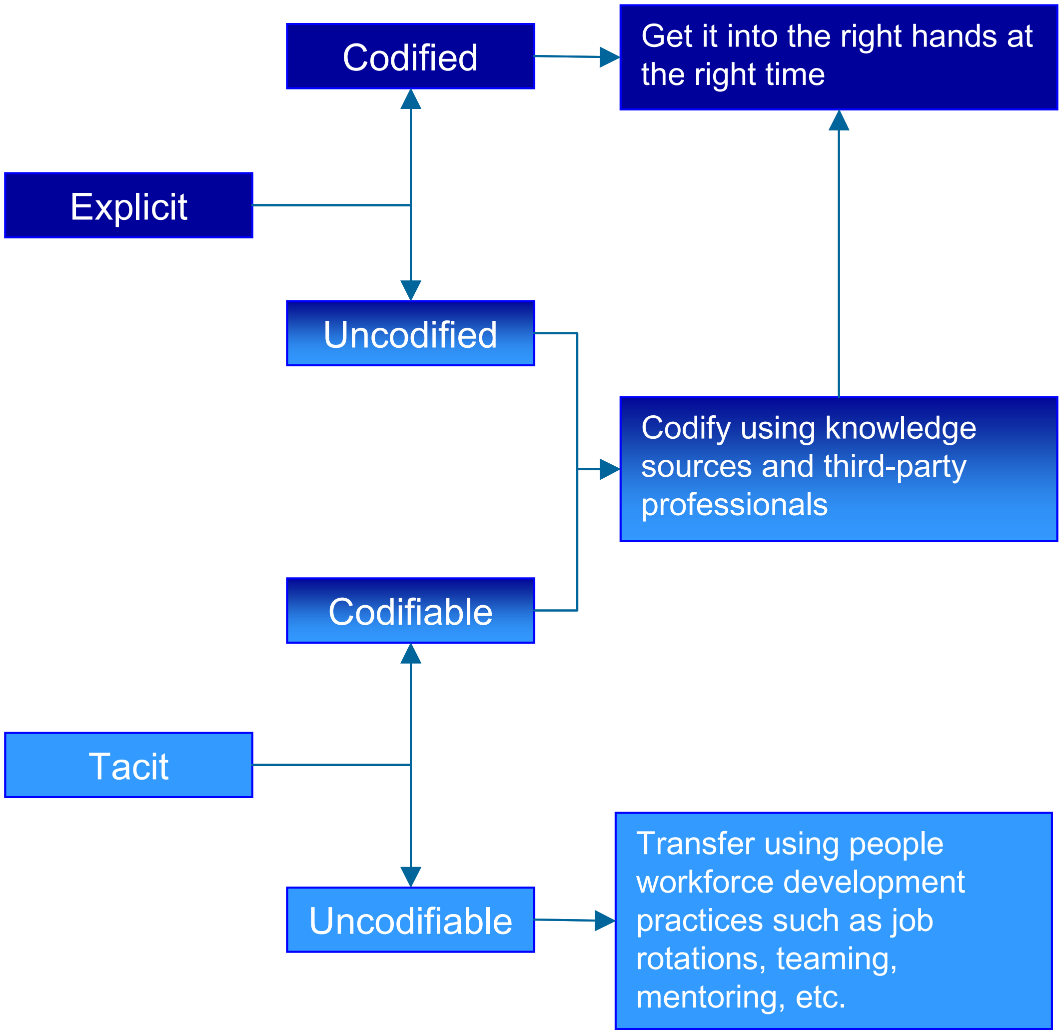
[2] Facilitation and interviewing skills may not exist within the individual courts; however, professionals in the AOC, specifically in HR and CJER (for example, course developers), should be able to assist with knowledge elicitation and codification activities.

[3] For example, the 58 CEOs in the branch form a community of practice.

Be aware that the result of identifying critical knowledge may be skewed towards explicit knowledge. Drill-down discussions with incumbents will help surface the tacit knowledge that is associated with position responsibilities. If you feel there is no time to go through the entire process of identifying critical positional knowledge, you might consider simply assembling a group of position incumbents with a skilled facilitator to discuss the tacit elements of their general responsibilities. Appendix III-A provides a set of questions that assist in these discussions.

The decision tree in Figure 2 below will help guide you in matching knowledge type to transfer approaches.

Figure 2. Decision Tree for Knowledge Transfer



Appendix III-A: Questions for Identifying Tacit Knowledge

The following set of questions can be used to jump-start discussions with position incumbents:

- If you left your job left today, what would be the first crisis the organization would have to contend with? (For staff positions you might want to pose this question in a different way. For example, “If a sizeable portion of the more experienced people in your position left at the same time, what would be the first crisis inexperienced replacements might have to contend with?”)
- What aspects of your work would someone new to your position have to spend a lot of time at before they really “got” it?
- What aspect of your job took you the longest to master?
- What are some of the “unofficial” aspects of your job? What sort of tasks do you undertake frequently that are not part of your job description?
- What aspect of your job would you have the most trouble teaching to someone else?
- Consider some of your core responsibilities. Describe how an expert might differ from a novice in executing these responsibilities.